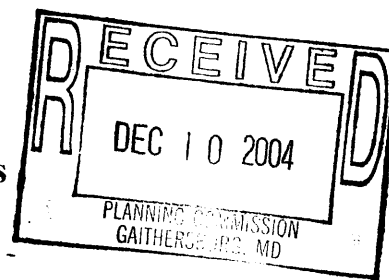


Land Use Analysis



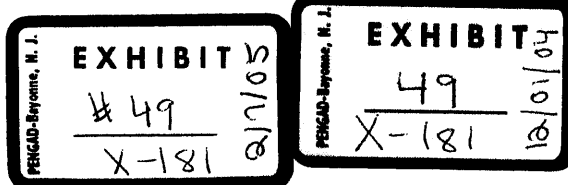
The Crown Farm Parcels are located Northwest of Sam Eig Highway at the intersection of Diamondback Drive. The property is comprised of two parcels, Parcel A 7.07 Ac. and Parcel B 6.11 Ac. that are bisected by Diamondback Drive.

These parcels are a residual that was severed from the original farm tract by the construction of Sam Eig Highway on the East, classified as a major highway. They were then further separated into the current configuration by the construction of Diamondback Drive, running east to West, classified as an arterial business/ industrial road in the Shady Grove Master Plan. The result of this major highway construction is two triangular parcels of land surrounded by major roadways on two sides and local roads on one side. Sam Eig Highway bounds the property on the East, Crown Farm Road bounds the property on the North and Story Drive and Bickerstaff Way is on the west. Diamondback Drive bisects the two parcels running east to west.

The community north of the subject parcels, north of Crown Farm Road, is the Washington Village Community, which is 17.9 acres and is comprised of 90 single family detached dwelling units with an average lot size of 4,600 square feet, an average dwelling footprint of 1,450 square feet and a community density of 5 dwelling units per acre.

The community west of the subject parcels and north of Diamondback Drive across Story Drive is the Shady Grove Village which is 18.4 acres and is comprised of 177 single family attached dwelling units with an average lot size of 2,000 square feet, an average dwelling footprint of 680 square feet, and a community density of 9.6 dwelling units per acre. The community west of the subject parcels south of Diamondback Drive across Bickerstaff Way is the Warther Community. This community is 13.59 acres comprised of 123 single family attached dwelling units with an average lot size of 1,950 square feet and an average dwelling unit footprint of 552 square feet. The Warther Community has a 9.1 dwelling units per acre density.

The development proposal for Crown Farm parcels A and parcels B is 80 single family attached dwelling units with an average lot size of 2,360 square feet and a dwelling footprint size of 1,035 square feet. The proposed density for the 13.18 acres is 6.1 dwelling units per acre. The property represents a transitional area that is no longer conducive to be developed for single family detached dwelling units, due to the major highway and roads in close proximity on all sides and the type of units and density of the surrounding communities. The development proposal represents a responsive solution to the factors on and around the parcels.



Attachment "B"

PHRA

VIRGINIA OFFICES:

Chantilly
Bridgewater
Leesburg
Virginia Beach
Woodbridge

LABORATORY:

Chantilly

MARYLAND OFFICES:

Columbia
Frederick
Germantown
Hollywood

**WEST VIRGINIA
OFFICE:**

Martinsburg

T 301.528.4300

F 301.528.0419

12850 Middlebrook Rd.

Suite 200

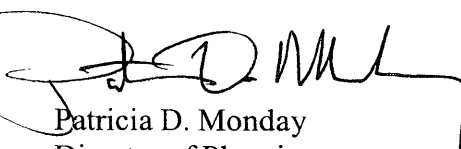
Germantown, MD

20876

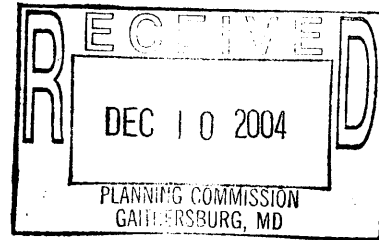
The design is very sensitive to the surrounding community. The actual building product will be a larger town home product than exists in the surrounding community to provide a move up opportunity to the existing residents. The layout provides the internal road network along Sam Eig Highway and Diamondback Drive which provides better separation to the proposed units. The layout also provides internal roadway access for all the proposed dwelling units to eliminate driveways on Crown Farm Road and also provides the shorter profile of the proposed units to the Washington Grove Community.

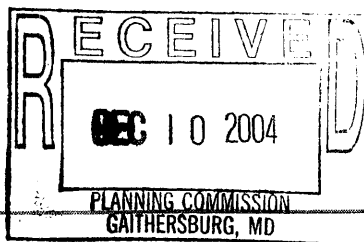
The sensitivity in the layout of the proposal and the type of density of the proposal provide a planning solution that is responsive to the property and community.

PHRA



Patricia D. Monday
Director of Planning





Patricia D. Monday
Director of Planning

Company Title

Director of Planning

Education

- BA, Urban Design, 1986

Affiliation

- American Planning Association
- Urban Land Institute
- Maryland-Nations Capitol Building Industry Association

Summary

Ms. Monday is a Land Planner with over 20 years of experience. She has managed a wide variety of development projects including preparation and coordination of special exception plans for many of these projects. Responsibilities include project coordination, preparation of construction documents, and presentations before numerous planning boards and community groups for various counties throughout Maryland.

Relevant Experience

▪ **Cameron Grove – Prince George's County, MD**

An 825-dwelling unit independent living community consisting of duplexes, quads, condominiums and community clubhouse with outdoor pool and tennis courts. Prepared, assembled and processed information necessary to rezone the property presented to the zoning hearing examiner, Prince George's County. Prepared and coordinated construction documentation.

▪ **Windsor Crossing – Prince George's County, MD**

125-dwelling unit independent living elderly facility, 128-dwelling unit garaged rental apartment, 95 for sale garaged five-plex condominiums, community center and outdoor pool. Redevelopment of existing 500 unit abandoned apartment complex in Suitland, Maryland. Assisted in the preparation of new legislation for redevelopment in Prince George's County. Preparation and processing of construction document for project.

▪ **Beechtree – Prince George's County, MD**

1,200-acre site consisting of a 2,400-dwelling unit single family detached and condominiums, commercial school site, 18 hole Greg Norman golf course and clubhouse. Preparation and coordination of construction documents including a 31-acre in stream stormwater management facility. Included coordination and assistance in processing wetland permits through Maryland Department of the Environment.

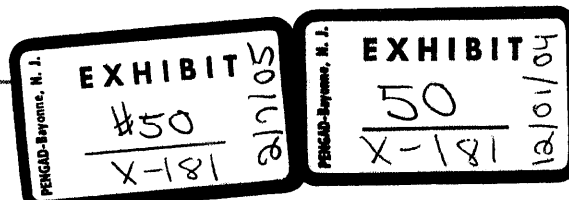
▪ **Hampshire Village – Silver Spring, MD**

Senior housing campus for a 110-dwelling unit independent living facility and a 30 bed assisted living facility. Assembled, processed and tracked all documentation for a Special Exception presented before the Board of Zoning Appeals, Montgomery County, Maryland. Prepared full construction documents.

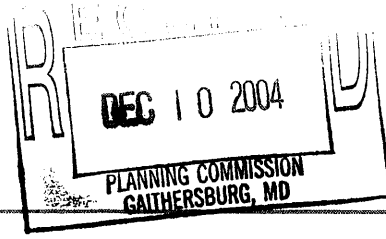
▪ **Leisure World of Maryland – Silver Spring, MD**

Assembled, coordinated and processed all necessary documentation for the rezoning of 18-acre site presented before the Zoning Hearing Examiner, Montgomery County. Prepared full construction documents for an 86-dwelling unit single-family detached elderly residence. Prepared and processed 450-dwelling unit elderly high rise condominium

PHRA



Attachment "C"



Patricia D. Monday
Director of Planning

construction documents, including an extensive stream restoration and wetland mitigation project.

- **Pines of Laurel – Laurel, MD**

Assembled, coordinated and processed all necessary documentation for a Special Exception presented before the zoning hearing examiner of Prince George's County. Prepared and processed full construction documents for a 650-dwelling unit age restricted community consisting of single family detached, townhouse villas, condominiums and 10,000 square foot clubhouse.

- **Oak Grove – Essex, MD**

125-dwelling unit independent living elderly facility. Preparation and coordination for CDA tax credit submission package to be filed with the State of Maryland. Preparation of development plan and variance plan submitted to Baltimore County.

- **Henson Creek – Prince George's County, MD**

198-dwelling unit rental apartments. Preparation of full construction documents including pool and clubhouse.

- **Brandywine Commerce Center – Prince George's County, MD**

275-acre office and industrial park. Assisted in the preparation of necessary documents for conceptual planning, site analysis and the development of design guidelines. Preparation of construction document for an industrial pad site for a major warehouse distributor.

- **Summit Creek – Prince George's County, MD**

525-dwelling unit single family detached and single family attached project. Preparation of full construction documents.

- **Cromwell Valley Park Master Plan – Baltimore County, MD**

Prepared the complete park master plan for the scenic and historic land and open space assemblage of several hundred acres along Cromwell Bridge Road and Mine Bank Run. The master plan process included program development; an environmental analysis of the land including geology, wildlife habitat, hydrology, and wetland, and 100-year flood plan; stream buffers; utilities; allowed land use by zoning and deed restriction; utility and infrastructure analysis; and a roadway and safety sight distance analysis. The process also included development of a constraint and development potential map, concept and preliminary master plan. The master plan process included extensive public involvement in the formulation of each step along the way. There were numerous public information meetings, several mailings of a periodic newsletter, and public presentations all in an effort to build a consensus of public opinion.

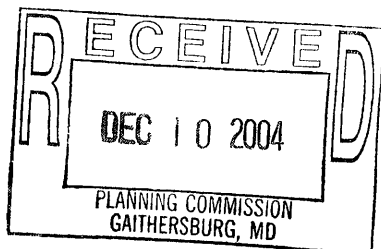
- **Gwynn Falls Pathway – Baltimore County, MD**

The project included all of the planning and construction plans, permits, specifications, and cost estimates for the greenway trails project extending from the existing parking lot on Milford Mill Road adjacent to I-695 north

Patricia D. Monday
Director of Planning

for 2.1 miles to the new Metro station. Also included in the project was a complete upgrade of all the community based neighborhood recreation facilities within the corridor. The project included sight distance analysis of all crosswalks, new sidewalks, and curb cut handicap access ramps, new community park identification signage, fishing piers over the Gwynn Falls, new tot lots and playgrounds, and numerous athletic fields and field upgrades. The project included new lighting, new community access pathway connections, and landscaping to enhance the pathway corridor. Also included were all environmental work, wetland identification, forest cover surveys, and permitting for environmental compliance. The project included numerous public meetings and presentations to the State funding agencies to successfully secure State and Federal funds for construction of the project.

- **Rossville Boulevard Landscape Screening – Baltimore County, MD**
Following the completion of the Rossville Boulevard Connection, a complete landscape visual assessment and landscape enhancement project was designed, permitted, successfully bid and constructed with construction supervision provided to screen the existing single family detached community from the new roadway improvement. The project included an analysis of the view sheds from the existing community living space indoors and outdoors, selection of the proper plant material and placement, and preparation of the construction specifications for the bid packages. Numerous sketches, plans, sections, and renderings were prepared and presented to the community and the county elected officials to convey the scope and desired results of the project. Also included in the project was the review of the bids and contracts and participation in all the permitting, preconstruction meeting, construction sequencing, plant material and location inspection, and final inspection and acceptance of the project.
- **Huntsmore Park, Baltimore County Department of Parks and Recreation – Baltimore County, MD**



This project involved the master planning, design, permitting and construction documents for a community park in the Huntsmore neighborhood in south Baltimore County. The park amenities included signage, lighted parking, a regulation size softball field, tot lot and pre-teen playground area, and a pathway. The park also had numerous community connections designed and many alternative layouts prepared and presented to maximize the use of the park property and yet minimize the disturbance of the environmental feature of large existing tree stands. To minimize clearing, the parking area was sensitively placed within an existing cleared area of an abandoned road right-of-way that existed following intersection realignments. The project included roadway frontage improvements of curb, gutter and sidewalk with street trees and streetlights, utility coordination and minor relocation, and full county review and permitting.

Patricia D. Monday
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- **Havre de Grace Promenade – Harford County, MD**
Complete construction documents for a water front park including 1,500 lf of boardwalk 14' wide; 500 lf of at-grade walkway; lighting and landscape of park entrances.

Assisted in the assembly, coordination and processing of all the necessary documentation for the expert testimony by others for the following:

- **Zoning Hearing Examiner – Prince George's County, Maryland**

Applicant: Poretsky Palmer LLC
Palmer Land LLC
6939 Georgia Avenue, NW
Washington, DC 20012-2456

Special Exception Application No. 4467: Special Exception Application for a Planned Retirement Community of 151 dwelling units in the R-E zone.

- **Board of Zoning Appeals – Montgomery County, Maryland**

Applicant: J. Kirby Development, LLC
2205 Warwick Way
Suite 210
Marriottsville, MD 21104

Local Map Amendment/Development Plan No. G-803 to the PD-9 Zone for a 4 story, 104 dwelling unit senior adult living facility.

- **Board of Zoning Appeals – Montgomery County, Maryland**

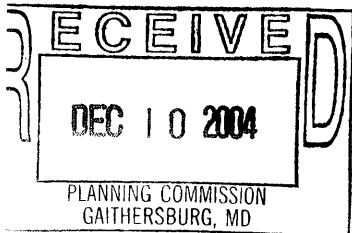
Applicant: Howard Hughes Medical Institute
4000 Jones Bridge Road
Chevy Chase, MD 20815

Special Exception Application No.: S-1565-A Special Exception Modification to increase the land area and construct a headquarters building with underground parking for a charitable or philanthropic institution.

- **Board of Zoning Appeals – Montgomery County, Maryland**

Applicant: J. Kirby Development, LLC
2205 Warwick Way
Suite 210
Marriottsville, MD 21004

Special Exception Application No.: S-2554 for Special Exception for housing for the elderly for 86 independent apartment units.



Patricia D. Monday
Director of Planning

▪ **Board of Zoning Appeals – Montgomery County, Maryland**

Applicant: Norbeck Village Association Limited Partnership
Stavrou Senior Communities, LLC
5100 Forbes Boulevard, Suite 101
Lanham, MD 20706

Special Exception Application No.: S-2459 for Special Exception for housing for the elderly for 130 independent apartment units.

▪ **Board of Zoning Appeals – Montgomery County, Maryland**

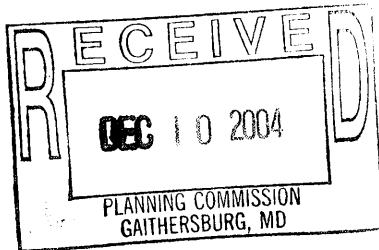
Applicant: Norbeck Village Association Limited Partnership
Victory Housing
5430 Grosvenor Lane, Suite 210
Bethesda, MD 20814

Special Exception Application No.: S-2460 for Special Exception for housing for domiciliary care home for 30 assisted living apartment units.

▪ **Zoning Hearing Examiner – Montgomery County, Maryland**

Applicant: IDI Maryland, Inc.
14901 Pennfield Circle
Silver Spring, MD 20906

Zoning Application No.: G-782 to rezone property from RE to PRC and to be included in Leisure World.



▪ **Prince George's County District Council**

Applicant: Ryko Development, Inc.
8133 Leesburg Pike
Suite 300
Vienna, VA 22182

Basic Plan Amendment No.: 4-98063 for 1,209.01 acres of R5 1.6 – 2.6 for 2,400 single family homes with an 18-hole golf course.

▪ **Zoning Hearing Examiner – Prince George's County, Maryland**
Prince George's County District Council

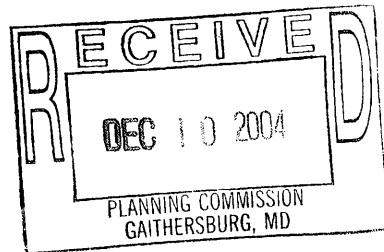
Applicant: Stavrou Senior Communities, LLC
5100 Forbes Boulevard
Suite 101
Lanham, MD 20706

Zoning Map Amendment No. 4-9935 and Zoning Map Amendment A-9839-C for a comprehensive design plan for 856 units in a mixed retirement development for single family homes.

Patricia D. Monday
Director of Planning

- **Quiet Waters Park – Anne Arundel County, MD**

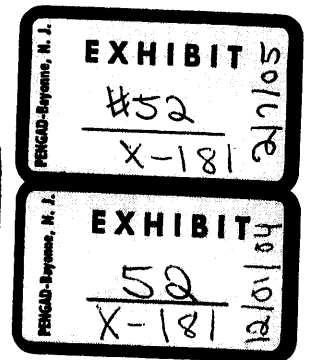
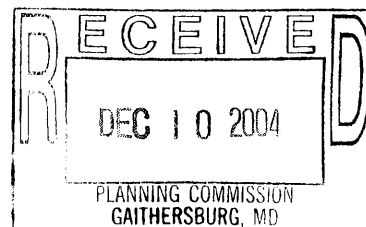
Master plan and design of \$12 million, 368-acre passive park. Facility includes boat concessions, meeting pavilion, formal gardens, picnic shelters, hiking/biking trails, maintenance building, parking lots, playground and restrooms.

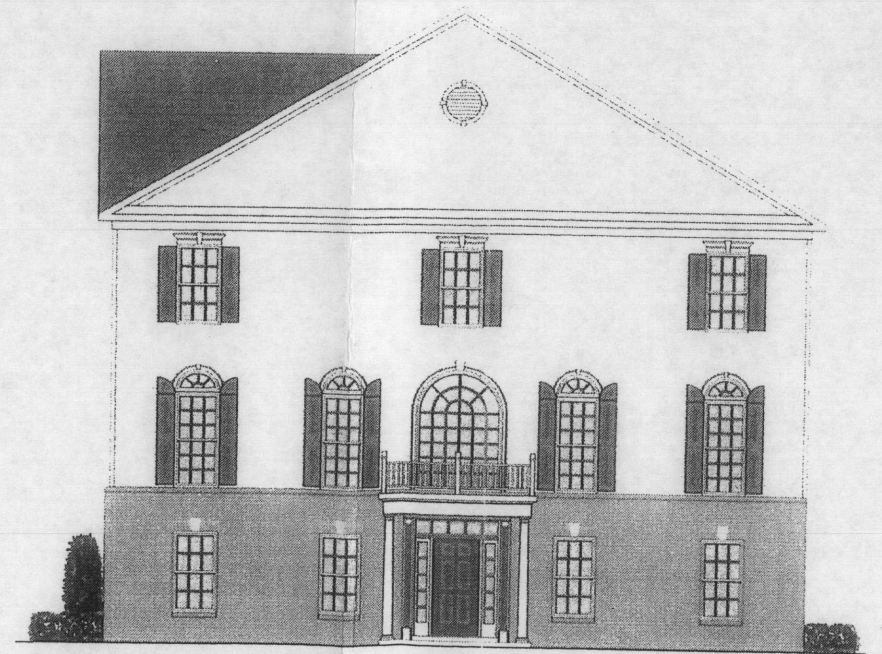
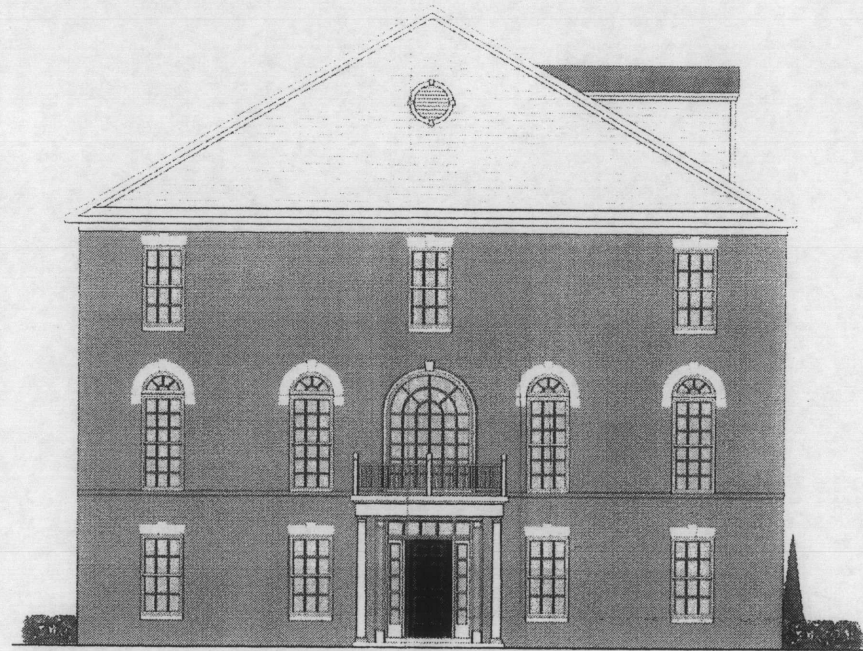
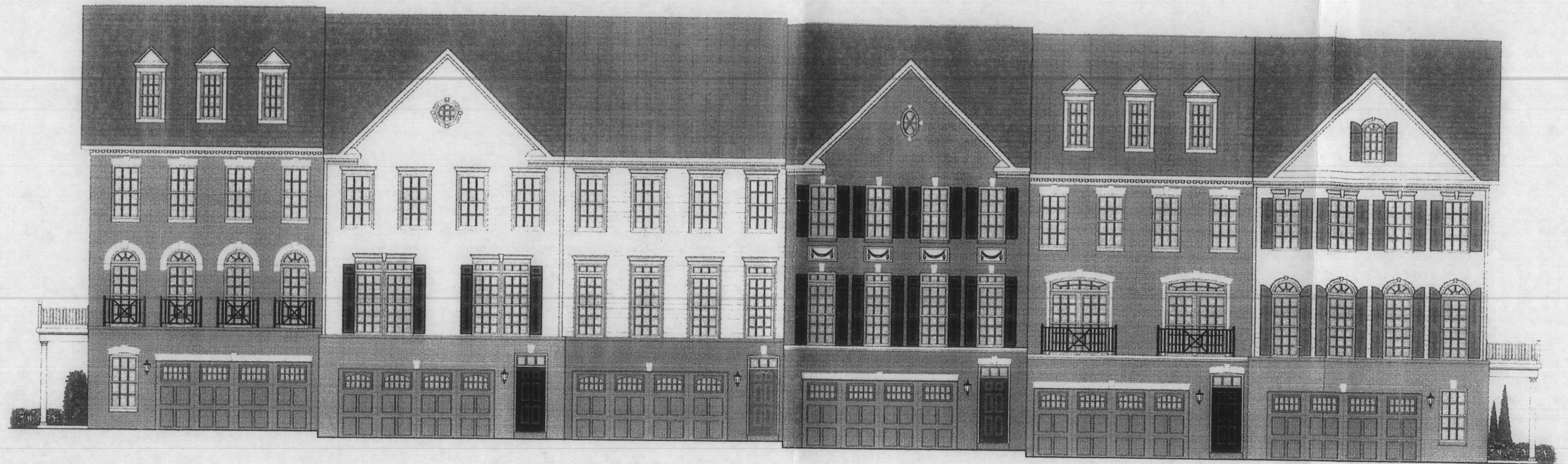


DENSITY STUDY COMPARISON CHART

<u>NEIGHBORHOOD</u>	<u>TRACT AREA</u>	<u>TOTAL UNITS</u>	<u>DENSITY</u>	<u>AVERAGE LOT SIZE</u>	<u>AVERAGE UNIT FOOTPRINT</u>
Washington Village	17.97 Ac.	90 Single Family Detached	5 units/ acre	4,600 SF	1,450 SF
Shady Grove Village	18.4 Ac.	177 Single Family Attached	9.6 units/ acre	2,000SF	680 SF
Warther	13.59Ac.	123 Single Family Attached	9.1 units/ acre	1,950 SF	552 SF
Crown Farm	13.18 Ac.	80 Single Family Attached	6.1 units/ acre	2,360 SF	1,035 SF

PHR+A

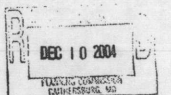




Although all illustrations and specifications are believed correct at the time of publication, the right is reserved to make changes, without notice or obligation. Windows, doors, ceilings and room sizes may vary depending on the options and elevations selected. Optional items indicated are available at additional cost. This rendering is for illustrative purposes only and not part of a legal contract. It is recommended that the architectural drawings be reviewed for further clarification of features. Not all features are shown. Please ask our Sales and Marketing Representatives for complete information.

November 15, 2004

Scale 3/16" = 1'-0"



Attachment 1

Patton Harris Rust & Associates, pc
Engineers. Surveyors. Planners. Landscape Architects.



8818 Centre Park Drive
Columbia, Maryland 21045
T 410.997.8900
F 410.997.9282

Memorandum

To: North Gaithersburg Investment, LLC

From: Jonathan Norman

Date: 12/10/04

Project Name/Subject: Crown Farm Earthwork Calculations

The Earthwork calculations for the North and South Parcels of Crown Farm are as follows:

North Parcel:

Total Cut = 16,049 cy

Total Fill = 45,962 cy

Net Fill = 25,032 cy

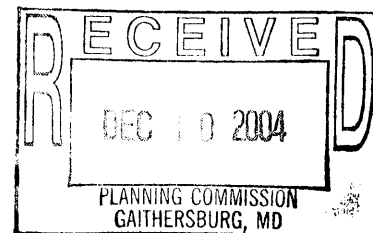
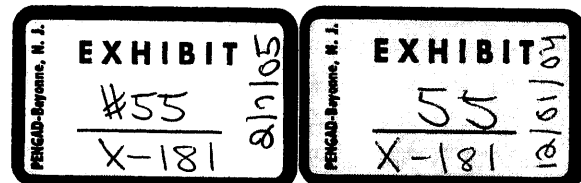
South Parcel:

Total Cut = 8,175 cy

Total Fill = 21,112 cy

Net Fill = 8,833 cy

Please let me know if you have any questions or need any additional information.



Mr. John Bauer, Chairman,
and Members of the
Gaithersburg Planning Commission
December 10, 2004
Page 4

safety features that exist around the site, including sidewalks, crosswalks and signals; (b) how the site is screened from adjoining communities; (c) how the proposed project serves as an appropriate transitional use from a major highway and more intense development; and (d) the existing architecture and scale of the surrounding communities.

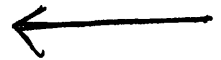
5. *Illustrative Elevations (Attachment "G")*

The Applicant is providing illustrative elevations of the architecture anticipated for the project. At this time, subject to market conditions, the Applicant projects that the sale price of the townhouses will be in the \$700,000-\$799,999 range.

6. *Site Earthwork Estimate (Attachment "H")*

In response to the issue raised by the Commissioners, the Applicant is providing calculations of the approximate earthwork that will be needed for the construction of the project. The proposed earthwork will comply with all applicable geo-technical standards and requirements.

7. *Statement Addressing how the Proposed Crown Farm Project
is Consistent with the 2003 City of Gaithersburg Master Plan*

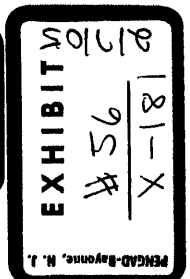
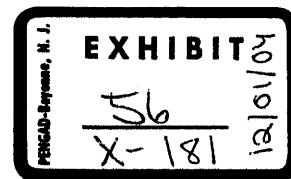


The 2003 Master Plan

The Mayor and City Council adopted the current Land Use Element of the Master Plan on December 15, 2003. The 2003 Master Plan represented a departure from the City's previous "neighborhood planning" approach. The introduction to the 2003 Master Plan explains that the neighborhood concept will cease upon adoption of the 2003 Master Plan. Instead, the 2003 Master Plan uses a theme-based approach in order to "balance on a citywide basis the competing issues and interests which affect future growth." Rather than using a neighborhood-by-neighborhood approach, the City wanted to view itself as a whole and look at how various elements "interact and affect one another."

Using this theme-based approach, the proposed Crown Farm project meets several of the 2003 Master Plan themes:

IDENTITY: The first theme of the 2003 Master Plan is "Identity." Objective A of this theme is to "Improve Appearance of City Boundaries to Emphasize the Sense of Place." Action 4 calls for the City to evaluate potential annexations.



Mr. John Bauer, Chairman,
and Members of the
Gaithersburg Planning Commission
December 10, 2004
Page 5

How the Crown Farm Project meets this objective: The proposed annexation is within Gaithersburg's Maximum Expansion Limits (MELs) and would provide the City with a uniform and logical boundary along Sam Eig Highway.

HOUSING: Objective A of the "Housing" theme calls for the City to encourage the development of single-family homes (including townhomes) where housing is appropriate to offset the current housing imbalance. Action 1 reiterates this statement, and Action 2 directs the City to pursue annexation of appropriate parcels for construction of single-family homes.

How the Crown Farm Project meets this objective: As a townhouse project, this type of development is specifically encouraged, where appropriate. As our land planning study and other exhibits demonstrate, residential townhome development as proposed is appropriate for this site. As mentioned in the "Identity" theme above, this property is a prime candidate for annexation.

Further, Objective E of the "Housing" theme encourages a variety of architectural styles. The proposed townhouses will provide a high-quality architectural design and finish that will be compatible with and enhance the surrounding neighborhood.

ENVIRONMENT: Objective I of the "Environment" theme calls for the City to look at ways to reduce environmental pollution, including noise pollution. Action 4 directs the City to consider ways to reduce noise impacts by engaging in noise-conscious site design.

How the Crown Farm Project meets this objective: The proposed project has been carefully designed to reduce noise impacts from Sam Eig Highway for the future residents of the community. The design allows the townhouses to be used as a barrier so that outdoor noise levels of the rear yards are well protected. In addition, all interior noise level requirements will be met by use of proper, modern construction techniques. Finally, the design will have the added benefit of providing a noise buffer between Sam Eig Highway and the existing neighborhoods to the west of the site.

The 1997 Master Plan

Although the City has adopted the 2003 Master Plan, some testimony was received at the Hearing concerning the 1997 Master Plan recommendation for Neighborhood Three. To

Mr. John Bauer, Chairman,
and Members of the
Gaithersburg Planning Commission
December 10, 2004
Page 6

clarify these comments, we reviewed the prior recommendations of the 1997 Plan. In this Plan, both parcels that are the subject of this Annexation Application, P458 and P619, are located in Neighborhood Three. The land use recommendation for P458, located to the north of Diamondback Drive, is for medium-low density residential. Specifically, the Master Plan calls for a density of 6 units per acre. The land use recommendation for P619, located to the south of Diamondback Drive, is for medium density residential. Specifically, the Master Plan calls for townhouses at a density of 9 units per acre. Recommendations for both parcels contemplate annexation.

The proposed Crown Farm project is for 80 single-family townhouse units, at a density of 6.07 units per acre. Both the type and density proposed for this project are, therefore, consistent with the prior Neighborhood Three land use recommendations.

8. *Traffic Impact Analysis (Attachment "I")*

The completed Traffic Impact Analysis demonstrates that the traffic to be generated from the proposed project will not overburden the study area intersections.

9. *Accident Data (Attachment "J")*

Also included is traffic safety and accident information for the intersection of Sam Eig Highway and Diamondback Drive. The data shows that this intersection has a low number of accidents and the accident levels fall below the State Average for Signalized Intersections.

10. *Statement Regarding the Illustrative Interchange Diagram Contained in the 1990 Shady Grove Study Area Master Plan for a Possible Grade-Separated Interchange at Sam Eig Highway and Diamondback Drive (Attachment "K")*

The 1990 Master Plan suggests a possible grade-separated interchange at this location. However, as explained by The Traffic Group (see Attachment "K"),

"... this design was schematic and 'illustrative only.' The Master Plan further states '... that equivalent at-grade solutions may work and be more appropriate. It is clear from our analysis that the traffic projections that were developed fifteen years ago have not materialized and, based on our analysis and projections, a grade separated interchange is not necessary at this location.' "



June 25, 2004

Steve Silverman
President
Montgomery County Council
100 Maryland Avenue
Rockville, MD 20850

Dear Mr. Silverman:

According to the *2003-2005 Annual Growth Policy – Policy Element* resolution adopted by the Montgomery County Council in October 2003, the Montgomery County Planning Board must assess school adequacy for FY 2005 after the Council has approved the FY 2005-2010 Capital Improvements Program. In making this determination of school adequacy, the Planning Board must use the methodology approved by the Council in the resolution.

On June 17, 2004, the Montgomery County Planning Board reviewed the results of the growth policy “school test” using the approved methodology and the school facilities fully-funded for completion in the first five years of the newly adopted CIP. These findings were prepared by the staff of Montgomery County Public Schools and reviewed by Park and Planning. The results of this analysis are attached and have been accepted by the Planning Board.

Therefore, the Montgomery County Planning Board finds that, for the purposes of reviewing subdivisions in FY 2005, capacity in each cluster and at every level meets the growth policy’s definition of “adequate.”

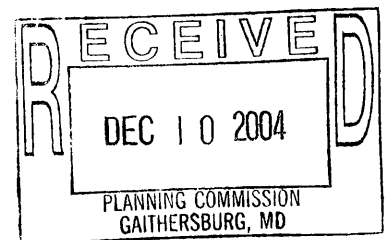
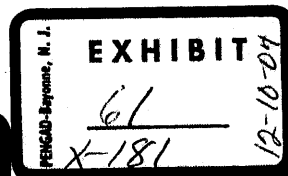
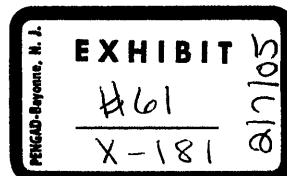
If you or any Councilmember have questions about the Planning Board’s implementation of the growth policy school test, please feel free to contact Karl Moritz in the Research & Technology Center at 301-495-1312.

Sincerely,

(original signed)

Derick P. Berlage
Chairman

DPB:KWM



Attachment "M"

Annual Growth Policy - Schools Test for FY 2005

Reflects County Council Adopted FY 2005 - 2010 Capital Improvements Program (CIP) and MCPS Enrollment Forecast

Elementary School Enrollment and Capacity

Cluster Area	Projected Sept. 2009 Enrollment	100% MCPS* Capacity With Adopted FY05-10 CIP	Capacity Remaining @ 100% MCPS capacity
B- CC	3,035	2,990	-45
Blair	4,008	4,188	180
Blake	2,418	2,406	-12
Churchill	2,546	2,544	-2
Damascus	3,911	4,345	434
Einstein	2,507	2,654	147
Galthersburg	4,001	4,035	34
Walter Johnson	2,950	2,740	-210
Kennedy	2,385	2,283	-102
Magruder	2,973	3,010	37
R. Montgomery	2,310	2,330	20
Northwest	3,755	3,962	207
Northwood	2,635	2,861	226
Paint Branch	2,410	2,422	12
Poolesville	704	805	101
Quince Orchard	2,840	2,886	46
Rockville	2,412	2,455	43
Seneca Valley	3,082	2,972	-110
Sherwood	2,593	2,656	63
Springbrook	2,725	3,085	360
Watkins Mill	3,314	3,197	-117
Wheaton	2,531	2,457	-74
Whitman	2,196	2,179	-17
Wootton	3,198	3,113	-85

AGP Test

105% AGP** Capacity With Adopted FY05-10 CIP	AGP Test: Students Above or Below 105 % AGP Cap.	AGP Test Result - Capacity is:
3,293	258	Adequate
4,644	636	Adequate
2,618	200	Adequate
2,833	287	Adequate
4,690	779	Adequate
2,914	407	Adequate
4,473	472	Adequate
3,063	113	Adequate
2,497	112	Adequate
3,337	364	Adequate
2,490	180	Adequate
4,166	411	Adequate
2,996	361	Adequate
2,700	290	Adequate
857	153	Adequate
3,214	374	Adequate
3,073	661	Adequate
3,330	248	Adequate
2,804	211	Adequate
3,350	625	Adequate
3,414	100	Adequate
2,973	442	Adequate
2,413	217	Adequate
3,457	259	Adequate

Middle School Enrollment and Capacity

Cluster Area	Projected Sept. 2009 Enrollment	100% MCPS* Capacity With Adopted FY05-10 CIP	Capacity Remaining @ 100% MCPS capacity
B- CC *	986	1,049	63
Blair	2,122	2,427	305
Blake	1,206	1,375	169
Churchill	1,437	1,437	0
Damascus	1,729	1,684	-45
Einstein	1,116	1,522	406
Galthersburg	1,687	1,874	187
Walter Johnson	1,626	1,805	179
Kennedy	1,127	1,398	271
Magruder	1,436	1,714	278
R. Montgomery *	980	1,044	64
Northwest	1,861	1,865	4
Northwood	1,087	1,477	390
Paint Branch	1,241	1,338	97
Poolesville *	331	500	169
Quince Orchard	1,435	1,794	359
Rockville*	1,037	1,030	-7
Seneca Valley	1,547	1,375	-172
Sherwood	1,274	1,577	303
Springbrook	1,142	1,248	106
Watkins Mill	1,617	1,739	122
Wheaton	972	1,466	494
Whitman *	1,225	1,300	75
Wootton	1,547	1,608	61

AGP Test

105% AGP** Capacity With Adopted FY05-10 CIP	AGP Test: Students Above or Below 105 % AGP Cap.	AGP Test Result - Capacity is:
1,181	195	Adequate
2,646	524	Adequate
1,559	353	Adequate
1,654	217	Adequate
1,890	161	Adequate
1,820	704	Adequate
2,292	605	Adequate
2,245	619	Adequate
1,583	456	Adequate
1,890	454	Adequate
1,229	249	Adequate
2,079	218	Adequate
1,772	685	Adequate
1,489	248	Adequate
544	213	Adequate
2,009	574	Adequate
1,205	168	Adequate
1,607	60	Adequate
1,701	427	Adequate
1,465	323	Adequate
2,174	557	Adequate
1,701	729	Adequate
1,394	169	Adequate
1,772	225	Adequate

High School Enrollment and Capacity

Cluster Area	Projected Sept. 2009 Enrollment	100% MCPS* Capacity With Adopted FY05-10 CIP	Capacity Remaining @ 100% MCPS capacity
B- CC	1,634	1,652	18
Blair	2,701	2,830	129
Blake	1,724	1,710	-14
Churchill	2,136	2,017	-119
Damascus	2,117	2,646	529
Einstein	1,552	1,488	-64
Galthersburg	2,083	2,126	43
Walter Johnson	2,195	2,189	-6
Kennedy	1,604	1,728	124
Magruder	2,050	2,030	-20
R. Montgomery	1,649	1,980	131
Northwest	2,208	2,016	-192
Northwood	1,482	1,566	84
Paint Branch	1,732	1,593	-139
Poolesville	759	868	109
Quince Orchard	1,997	1,786	-211
Rockville	1,318	1,484	166
Seneca Valley	1,835	1,815	-20
Sherwood	2,033	1,982	-51
Springbrook	2,030	2,145	115
Watkins Mill	2,022	2,169	147
Wheaton	1,273	1,517	244
Whitman	2,039	1,913	-126
Wootton	2,339	2,081	-258

AGP Test

100% AGP** Capacity With Adopted FY05-10 CIP	AGP Test 1: Students Above or Below 100 % AGP Cap.	AGP Test 2: Space In Adjacent Cluster(s)?	AGP Test Result - Capacity is:
1,710	76		Adequate
2,993	292		Adequate
1,778	54		Adequate
2,115	-21	Richard Montgomery 244	Adequate
2,768	651		Adequate
1,733	181		Adequate
2,340	257		Adequate
2,363	168		Adequate
1,935	331		Adequate
2,115	65		Adequate
2,093	244		Adequate
2,070	-138	Seneca Valley 190	Adequate
1,688	206		Adequate
1,688	-44	Blake 54	Adequate
900	141		Adequate
1,980	-17	Galthersburg 257	Adequate
1,688	370		Adequate
2,025	190		Adequate
2,093	60		Adequate
2,273	243		Adequate
2,363	341		Adequate
1,643	370		Adequate
2,025	-14	Walter Johnson 168	Adequate
2,183	-156	R. Montgomery 244	Adequate

The Annual Growth Policy schools test compares projected enrollment in 2009-10 to total capacity in 2009-10, including programmed additional capacity available by that year.

The AGP schools test uses 105% AGP Capacity for elementary and middle schools, and 100% AGP Capacity for high schools.

The AGP schools test is within cluster for elementary and middle schools, and at high school level capacity may be "borrowed" from adjacent clusters.

* MCPS program capacity based on rating of capacity for special programs as well as regular education program, (from the CIP.)

** AGP cluster capacity based on rating all K rooms at 22 (FDK will be in all schools by 2007), and all other elementary rooms for Grades 1-5 at 25:1. Secondary school capacity for Grades 6-12 rates all rooms at 22.5:1.

Enrollment projections by Montgomery County Public Schools, October 2003.

In cases where elementary or middle schools articulate to more than one high school, enrollments and capacities are allocated proportionately to clusters.

The groupings used are only to administer the Adequate Public Facilities Ordinance and do not in any way require action by the Board of Education in exercising its power to designate school service boundaries.

S2 School Capacity Measures

The Planning Board must evaluate available capacity in each high school cluster and compare enrollment projected by Montgomery County Public Schools for each fiscal year with projected school capacity in 5 years. If sufficient high school capacity will not be available in any cluster, the Planning Board must determine whether an adjacent cluster will have sufficient high school capacity to cover the projected deficit.

The Planning Board must use 100% of Council-funded capacity at the high school level and 105% of Council-funded capacity at the middle and elementary school level as its measures of adequate school capacity. This capacity measure does not count relocatable classrooms in computing a school's permanent capacity.

Council-funded regular program classroom capacity is based on calculations that assign 25 students for grades 1-6, 44 students for half day kindergarten where it is currently provided, 22 students for all day kindergarten where it is currently provided, and an effective class size of 22.5 students for secondary grades.

S3 Grade Levels

Each cluster must be assessed separately at each of the three grade levels -- elementary, intermediate/middle, and high school.

S4 Determination of Adequacy

After the Council has approved the FY 2005-2010 CIP, the Planning Board must recalculate the projected school capacity at all grade levels in each high school cluster. If the Board finds that public school capacity will be inadequate at any grade level in any cluster, but the projected enrollment at that level will not exceed 110% of capacity, the Board may approve a residential subdivision in that cluster during FY 2005 if the applicant commits to pay a School Facilities Payment as provided in County law before receiving a building permit for any building in that subdivision. If projected enrollment at any grade level in that cluster will exceed 110% of capacity, the Board must not approve any residential subdivision in that cluster during FY 2005.

After the Council in 2005 has approved the amended FY 2005-2010 CIP, the Planning Board again must recalculate school capacity. If capacity at any level is projected to be inadequate, the Board must take the actions specified in the preceding paragraph in FY 2006.

S5 Senior Housing

If public school capacity is inadequate in any cluster, the Planning Board may nevertheless approve a subdivision in that cluster if the subdivision consists solely of multifamily housing and related facilities for elderly or handicapped persons or multifamily housing units located in the age-restricted section of a planned retirement community.

S6 Clusters in municipalities

Each applicant must participate in programs operated by, and take actions specified by, the transportation management organization (TMO), if any, established by County law for that policy area to meet the mode share goals set by the Planning Board.

TA4.1.6 TMO Payment

If an applicant is located in a transportation management district, the applicant must pay an annual contribution or tax, set by County law, to fund the TMO's operating expenses, including minor capital items such as busses.

TA4.1.7 Development Approval Payment Limits

The applicant must pay the applicable Development Approval Payment (DAP) as provided in County Code §8-37 through 8-42, but not more than the DAP in effect on July 1, 2001.

TA4.1.8 Eligibility

An applicant may use this Procedure only if it met the criteria in **TA4.1.1** for number of employees and site location on November 1, 2003.

TA5 Strategic Economic Development Projects

An applicant for a preliminary plan of subdivision need not take any action under **TL Local Area Transportation Review** if all of the following conditions are met.

TA5.1 Traffic information

The applicant files a complete application for a preliminary plan of subdivision which includes all information that would be necessary if the requirements for LATR applied.

TA5.2 Designation

The County Council has approved the County Executive's designation of the development as a strategic economic development project under procedures adopted by law or Council resolution.

TA5.3 Transportation Impact Tax Payments

The applicant must pay double the applicable transportation impact tax without claiming any credits for transportation improvements.

Public School Facilities

S1 Geographic Areas

For the purposes of public school analysis and local area review of school facilities at time of subdivision, the County has been divided into 24 areas called high school clusters, as shown in Map 32. These areas coincide with the cluster boundaries used by the Montgomery County Public School system.

If public school capacity will be inadequate in any cluster that is wholly or partly located in Rockville, Gaithersburg, or Poolesville, the Planning Board may nevertheless approve residential subdivisions in that cluster unless the respective municipality restricts the approval of similar subdivisions in its part of the cluster because of inadequate school capacity.

S7 Development District Participants

The Planning Board may require any development district for which it approves a provisional adequate public facilities approval (PAPF) to produce or contribute to infrastructure improvements needed to address inadequate school capacity.

Guidelines for Water and Sewerage Facilities

In accordance with the Adequate Public Facilities Ordinance, applications must be considered adequately served by water and sewerage if the subdivision is located in an area in which water and sewer service is presently available, is under construction, is designated by the County Council for extension of service within the first two years of a current approved Comprehensive Water Supply and Sewerage Systems Plan (i.e., categories I, II, and III), or if the applicant either provides a community water and/or sewerage system or meets Department of Permitting Services requirements for septic and/or well systems, as outlined in the Adequate Public Facilities Ordinance. These requirements are determined either by reference to the Water and Sewerage Plan, adopted by the Council, or by obtaining a satisfactory percolation test from the Department of Permitting Services.

Applications must only be accepted for further Planning staff and Board consideration if they present evidence of meeting the appropriate requirements.

Guidelines for Police, Fire and Health Services

The Planning Board and staff must consider the programmed services to be adequate for facilities such as police stations, firehouses, and health clinics unless there is evidence that a local area problem will be generated. Such a problem is one which cannot be overcome within the context of the approved Capital Improvements Program and operating budgets of the relevant agencies. Where such evidence exists, either through agency response to the Subdivision Review committee clearinghouse, or through public commentary or Planning staff consideration, a Local Area Review must be undertaken. The Board must seek a written opinion from the relevant agency, and require, if necessary, additional data from the applicant, to facilitate the completion of the Planning staff recommendation within the statutory time frame for Planning Board action. In performing this Local Area Review, the facility capacity at the end of the sixth year of the approved CIP must be compared to the demand generated by the "most probable" forecast for the same year prepared by the Planning Department.
















Guidelines for Resubdivisions

An application to amend a previously approved preliminary plan of subdivision does not require a new test for adequacy of public facilities if:

Revisions to a preliminary plan have not been recorded, the preliminary plan has not expired, and the number of trips which will be produced by the revised plan is not greater than the number of trips produced by the original plan.

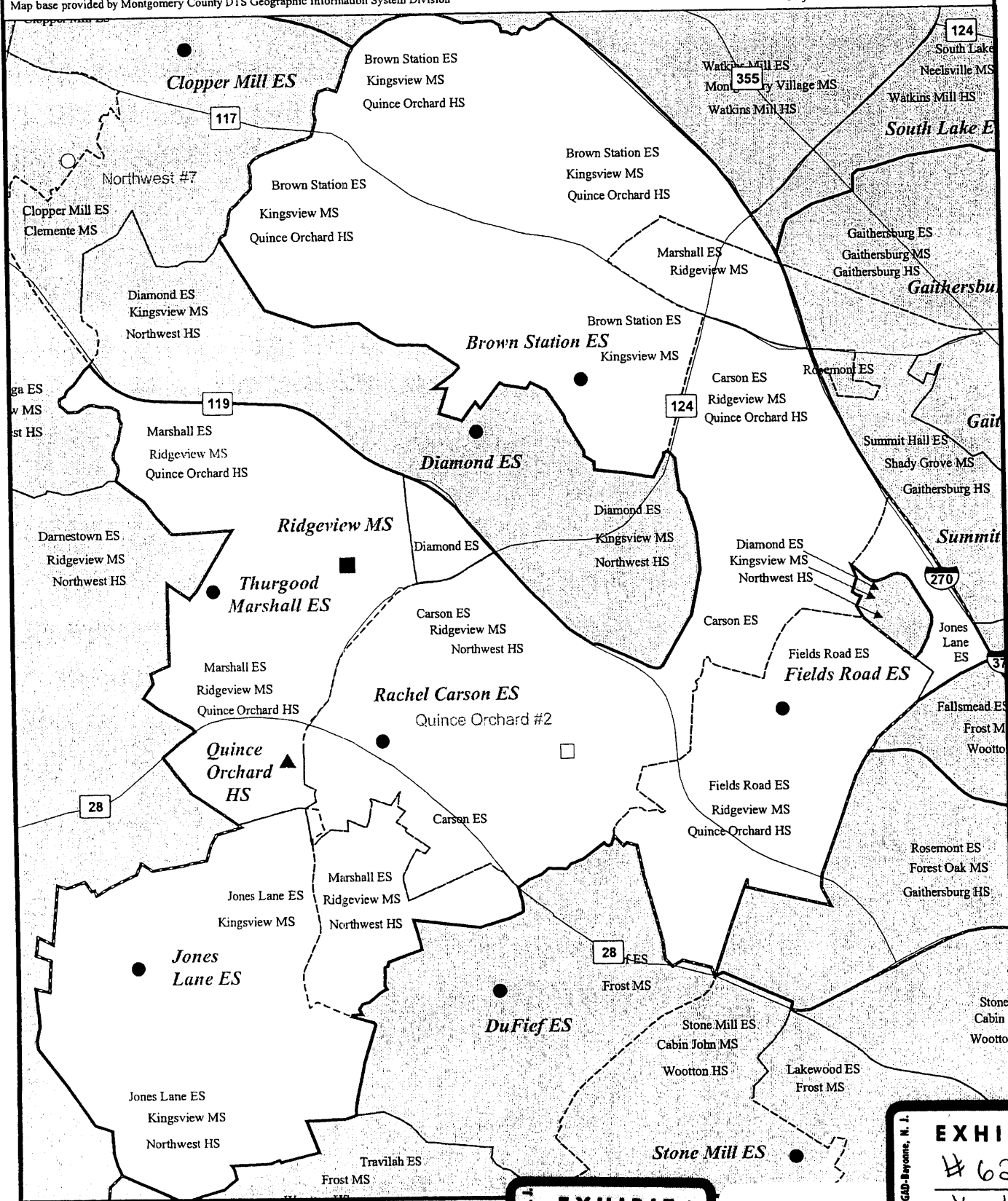
Montgomery County Public Schools
850 Hungerford Drive



Closed	New	Current	
			Grades K-2
			Grades 3-6 or 3-5
			Grades K-5
			Middle Schools
			High Schools

— Cluster Service Areas
 - - - ES Service Areas
 — Major Roads

Vicinity Map



QUINCE ORCHARD CLUSTER

CLUSTER PLANNING ISSUES

Capital Project: Restroom renovations are planned for schools in this cluster that were constructed or modernized before 1985 and do not have planning or construction funds approved in the FY 2005–2010 CIP. Schools that are receiving an addition project will have the improvements completed at the same time. Please see Appendix W for the list of schools that are approved to receive restroom renovations.

Planning Issue: As a result of enrollment growth in the county, many high schools are stretched beyond their capacities and have enrollments that exceed 2,000 students. Projected enrollment growth will only exacerbate this problem. Many high schools, especially in the central part of the county, do not have adequate site sizes or core facilities to accommodate the projected enrollment. A new high school will be needed in the next ten years to relieve overcrowding in high schools and to bring the student enrollment at these schools below the school capacity. A site selection committee will be formed to explore sites for a new high school.

Planning Issue: A program initiative to provide full-day kindergarten and reduced class-sizes in Grades K–2 was introduced in the 2000–2001 school year in schools with the largest number of students affected by poverty and language deficiency. Brown Station Elementary School receives staffing to reduce class sizes for Grades K–2. Relocatable classrooms are being used to accommodate these initiatives where necessary.

SCHOOLS

Kingsview Middle School

Utilization: Relocatable classrooms will continue to be used until Quince Orchard Middle School #2 opens in August 2005.

Non-Capital Action: A boundary study was conducted in spring 2004 to evaluate boundary options for Quince Orchard Middle School #2. Elementary schools that currently articulate to Kingsview Middle School and Ridgeview Middle School participated on the boundary advisory committee. The superintendent's recommendation was released on October 15, 2004, with Board of Education action scheduled for November 2004.

Quince Orchard Middle School #2

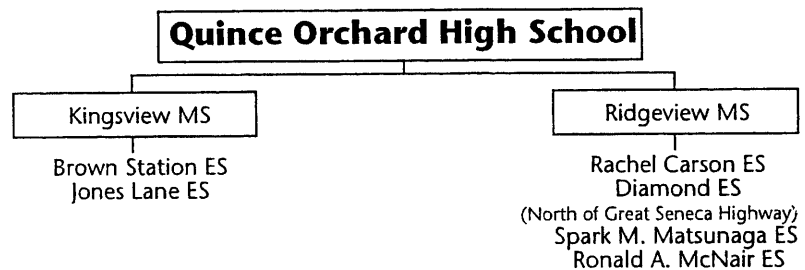
Capital Project: A site for the new school was acquired in the Lakelands community. The school is approved to open in August 2005. FY 2005 furniture and equipment funds were approved to complete the new school. A repeat design was used.

Non-Capital Action: A boundary study was conducted in spring 2004 to evaluate boundary options for Quince Orchard Middle School #2. Elementary schools that currently articulate to Kingsview Middle School and Ridgeview Middle School participated on the boundary advisory committee. The superintendent's recommendation was released on October 15, 2004, with Board of Education action scheduled for November 2004.

Ridgeview Middle School

Capital Project: Improvements to this facility are needed to enclose classrooms, create appropriate hallways, add ceilings, lighting, and to reconfigure the mechanical system. FY 2008 planning funds are approved to begin the architectural design for the improvements. The scheduled completion date for the project is August 2010.

Quince Orchard Cluster Articulation*

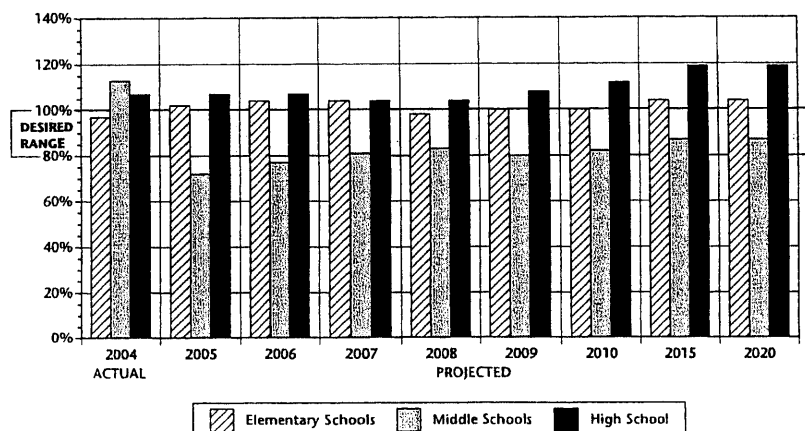


*"Cluster" is defined as the collection of elementary schools that articulate to the same high school.

*Diamond (north of Great Seneca Highway) and Ronald A. McNair elementary schools articulate to Kingsview Middle School, but thereafter to Northwest High School.

*Darnestown Elementary School articulates to Ridgeview Middle School, but thereafter articulates to Northwest High School.

Quince Orchard Cluster School Utilizations with Recommended CIP



Note: Percent utilization calculated as total enrollment of schools divided by total capacity. Projected capacity factors in adopted capital projects and recommended amendments.

QUINCE ORCHARD CLUSTER

Non-Capital Action: A boundary study was conducted in spring 2004 to evaluate boundary options for Quince Orchard Middle School #2. Elementary schools that currently articulate to Kingsview Middle School and Ridgeview Middle School participated on the boundary advisory committee. The superintendent's recommendation was released on October 15, 2004, with Board of Education action scheduled for November 2004.

Fields Road Elementary School

Utilization: Projections indicate that Fields Road Elementary School enrollment will exceed capacity throughout the six-year CIP period. Continue to use relocatable classrooms until a nine-classroom addition is constructed.

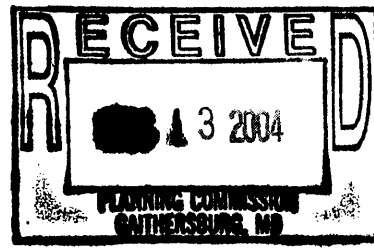
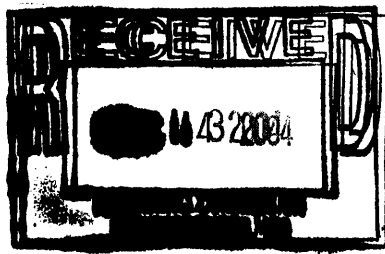
Capital Project: A nine-classroom addition is planned for Fields Road Elementary School to accommodate its projected enrollment. FY 2006 planning funds are approved to begin the architectural design for the addition. The scheduled completion date for the addition is August 2008. In order for this addition to be completed on schedule, two critical funding sources must remain as programmed. First, the County Council must provide local funding at the levels approved in the FY 2005–2010 CIP, and second the State of Maryland must provide state funding at levels projected by the County Council for the FY 2005–2010 CIP.

Thurgood Marshall Elementary School

Capital Project: FY 2006 planning funds are approved for a gymnasium. The scheduled completion date for this gymnasium is August 2007. In order for this gymnasium to be completed on schedule, the County Council must provide local funding at the levels approved in the FY 2005–2010 CIP.

CAPITAL PROJECTS

School	Project	Status	Date of Completion
Q. Orchard MS #2	New school	Approved	Aug. 2005
Ridgeview MS	Facility improvements	Approved	Aug. 2010
Fields Road ES	9-Classroom addition	Approved	Aug. 2008
Thurgood Marshall ES	Gymnasium	Approved	Aug. 2007



2 Gibson Court
Gaithersburg, MD 20878
December 8, 2004

Gaithersburg Planning Commission
31 South Summit Ave.
Gaithersburg, MD 20977

Dear Commissioners:

We live in the City of Gaithersburg in a small neighborhood called the Courts of Watch Hill. Recently, signs went up on a field adjacent to our neighborhood announcing that a developer had petitioned the City to annex and rezone the field in order to build a dense cluster of town homes, see attached agenda.

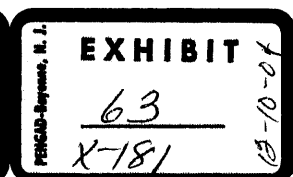
We strongly urge you to maintain the current zoned designation for this property.

For the past 10 years the quality of life in our community has steadily gone down. The schools are grossly overcrowded; as is the library, transfer station, and other public services. The grocery store is a madhouse as is the MVA. The burden on I-270 has turned the morning commute into a nightmare. The intersections are jammed and the traffic is increasingly aggressive, noisy, and dangerous. Even without the proposed town home development, there are several large pending projects nearby that will add significantly to the current congestion bringing even more stress to our community in the coming years. Cramming yet another dense town home development in our area will only exacerbate greatly the problems we face.

Of course, all of these problems and more are already catalogued in the Gaithersburg Master plan. We would like to see this land used in a creative and productive way that enhances the community and makes Gaithersburg a better place.

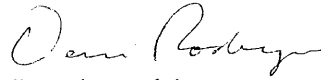
Repetitive tracts of town homes represent the absolute worse when it comes to creating bland, sterile, characterless suburban landscapes. Why do some parts of Gaithersburg stand out as visionary and award winning but in our area, the plan is: an unending tract of town homes? In every respect, this does nothing to help create a sense of character and place for the city. In fact, it makes things far worse.

Also of concern is the failure of our professional planners to hold some land in reserve in anticipation of future needs. Filling every available tract with dense housing limits any chance of adding additional service and community support facilities in the future.

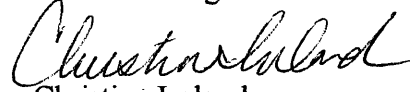


On Dec 1, 2004, at the zoning commission meeting, many members of the community attended and raised serious concerns and asked you to reject the proposal to annex and re-zone this property. We call upon you as our representative to assist the citizens in neighborhood 3 who intensely oppose this proposal.

Sincerely,

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Dennis Rodrigues

A handwritten signature in cursive script, appearing to read "Christine Ireland".

Christine Ireland

Outcomes - Planning Commission Meeting, 12/1/2004

Posted 12/2/2004

PLANNING COMMISSION ACTIONS

Wednesday, December 1, 2004

City Hall Council Chambers

I. APPROVAL OF MINUTES

November 3, 2004, Planning Commission Meeting

Approved

II. CONSENT- APPROVAL

AFP-02-048 -- Washingtonian Center

MXD Zone

25 Grand Corner Avenue

Target and Garage Shops

EXTENSION OF APPROVAL

Granted

AFP-04-039 -- 219 Rabbitt Road in Pheasant Run

R-90 Cluster

One-Story Rear Addition and New Front Porch

AMENDMENT TO FINAL PLAN

Approved

AFP-04-042 -- Hidden Creek Land Bay III - Section 1

MXD Zone

Goshen Road/Girard Street

Architectural Adjustments

AMENDMENT TO FINAL PLAN

Approved

III. PUBLIC HEARING

X-181 -- Lorraine Crown, Charles O. Crown, and Catherine V. Stinson

North Gaithersburg Investment, LLC. (Contract Purchaser)

Application to annex 13.18 acres of land, known as Crown Farm Point, located at the northwest and southwest quadrant of the intersection of Sam Eig Highway and Diamondback Drive. The application requests a reclassification of the subject property from the current R-200 (Low-Density Residential) Zone with a TDR-5 overlay (Transfer of

Distribution: M&CC

Greg O

Archer

DEC 13 2004

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Gaithersburg, MD 20878
December 8, 2004

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Gaithersburg, MD 20977

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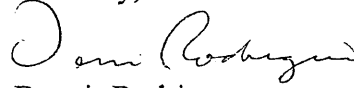
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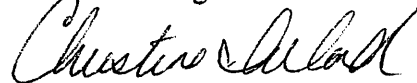


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Dennis Rodrigues

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Christine Ireland

Outcomes - Planning Commission Meeting, 12/1/2004

Posted 12/2/2004

PLANNING COMMISSION ACTIONS

Wednesday, December 1, 2004

City Hall Council Chambers

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November 3, 2004, Planning Commission Meeting

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MXD Zone

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Granted

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R-90 Cluster

One-Story Rear Addition and New Front Porch

AMENDMENT TO FINAL PLAN

Approved

AFP-04-042 -- Hidden Creek Land Bay III - Section 1

MXD Zone

Goshen Road/Girard Street

Architectural Adjustments

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Abaris Realty, Inc.

12009 Nebel Street, Rockville, MD 20852

301-468-8919 • Fax: 301-468-0983

Web Site: www.abarisrealty.com

DEC 15



December 14, 2004

Mayor and Council Members
City of Gaithersburg
31 South Summit Avenue
Gaithersburg, MD 20877

Re: Crown Farm

Dear Mayor and Council Members:

Abaris Realty manages Amberfield Homeowners Association, Shady Grove III Homeowners Association and The Washingtonian Towns. Until recently we also managed The Greens of Warther Condominium Association.

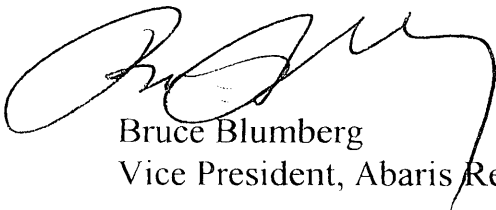
We have been very much involved in that part of the City and find the proposal to annex the Crown Farm into the City for the purpose of allowing more dense development to not be in the best interest of these property owners.

From my frequent visits to that part of the City, it is readily apparent that traffic getting off of 370 is already unacceptable and by bringing in as many homes as proposed would only further compound this condition.

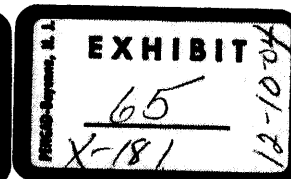
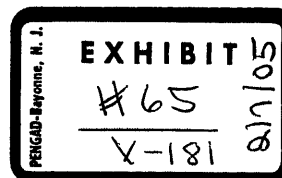
I have no objection to the City annexing the Crown Farm but it should be left under the same building restrictions as currently exist through the County.

Thank you for your consideration on this matter.

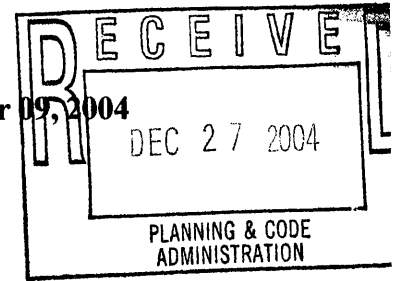
Very truly yours,



Bruce Blumberg
Vice President, Abaris Realty



Thursday, December 09, 2004



Annexation of X-181 by the City of Gaithersburg

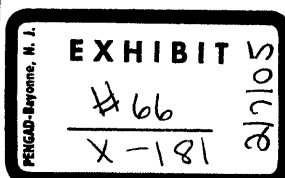
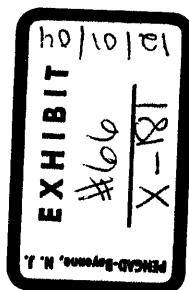
Like many of the concerned citizens of Neighborhood 3, we attended the 12/1/2004 meeting of the Gaithersburg Planning Commission to listen to the plans for annexing the parcels of land identified as X-181. The following comments are made to relay information from our perspectives of 17 years of Gaithersburg residence, all spent at 5 Norwich Court, which is part of a larger neighborhood and community that will be adversely affected by the site plan proposed for the annexation.

We are not protesting the annexation of the property. The Crown family certainly has the right to sell or develop their land. We are protesting the annexation with a site plan that is inappropriate for the community, and potentially destructive of both the security and well-being of current and future residents.

INFRASTRUCTURE

Traffic and safety

- The traffic patterns at and around the proposed development are already unsafe. There is not a week that goes by without a significant accident occurring at the intersection of Muddy Branch Road and Diamondback Drive or at Diamondback Drive and Sam Eig. There are several reasons for this:
 - As testified at the meeting, the intersection at Diamondback and Sam Eig was not built as designed, leaving less room for safe merges.
 - Crowding causes backups at key points every weekday. The natural reaction is to speed up when you can. This may not be smart but it is the general practice. The result is much more competitive driving! People try to get quick starts when the lights turn green...the same time people who are turning from one main thoroughfare to another, frustrated by delays, are trying to speed through yellow lights that have turned red. Bang! Boom! Crash!
 - Traffic is almost always bad. If traffic isn't too heavy and we catch the lights, it takes approximately 4 minutes to go from our house to the intersection of Fields Road and Sam Eig Hwy. This almost never happens even though the distance of this trip is approximately 100 yards (line of sight). If traffic is bad, as it often is, it takes a minimum of 8 minutes. The 200 or so cars driven by residents in the proposed 80 town homes can only make this worse. Looking at the plan, it seems that 3 outlets are proposed for allowing cars onto Crown Farm Road - at Norwich Court, Watch Hill Road and a new entry way positioned just about where Crown Woods begin. Three entries in approximately 200 yards onto a two-lane road without shoulders!!! How many accidents will



be required before each entryway is governed by a traffic signal which will not add dramatically to our safety and which will cause further delays in getting from our homes to Gaithersburg's amenities and work. Why would anyone want to leave if they didn't have to go out?

- Crown Farm Road is and will remain most peoples' access to main roads. Currently, it is the only footpath for residents to walk to stores, neighbors, or the elementary school. It is a dangerous footpath now, featuring blind turns, harried motorists, and bicyclists. Add 200 cars to the mix and let's see what happens!

All of these observations are being made before Sam Eig becomes an integral part of the Inter-County Connector, before the development of the 870,000 square feet of commercial space on Washingtonian North (how many offices and cars does that represent?), and before the development of the Crown Farm itself.

What is clear is that developers are opportunistically trying to maximize profit and ignoring everything else. The responsibility of the Planning Commission and the City Council, to do what is best for the City of Gaithersburg and its residents, needs to be forward looking.

- Research data reveal the significant positive relationship between crime and population density. Neighborhood 3 currently has the highest population density in Gaithersburg. The housing is not terribly diverse. There are several garden apartment complexes, subsidized housing, and town homes already defining the area. While some might assert that this suggests that even more town homes are the appropriate answer, we do not agree. First, there are already single-family detached homes immediately adjacent to the larger of the two land parcels. Second, decreasing density will have more positive outcomes.
 - Decreased crime rates
 - Increased neighborhood satisfaction (leading to a better sense of community and community participation in conservation, policing and maintenance)
 - Improved participation in governing and social institutions
 - More stability as residents stay longer and people who begin in apartments eventually move up to single-family detached homes as their situations improve.
- Do not dismiss detached single family homes because of location or demographics. The neighborhood needs increased stability and higher socioeconomic families to improve the quality of neighborhood life as well as for security. The existence of single family homes, abutting on parcel X-181, currently selling in the \$400,000-\$450,000 range, makes adding more single family detached homes a very reasonable alternative to the current proposal.

Traffic and security are not the only infrastructure issues that should be of concern to us all. Issues related to schools, services, and the environment should also be considered in

making any decisions regarding the acceptance of the plan presented as part of the annexation.

- All the schools feeding into Quince Orchard HS are overcrowded, but perhaps none more so than the neighborhood elementary school (Fields Road). Even if we are to believe the Board of Education's estimate that 80 new town homes will bring just 23 elementary school-aged children, that's another portable at a school that is so crowded that remedial classes are taught in the hallways, abbreviated lunch, music, and physical education periods are the norm, and portables are so plentiful that they are slowly taking over the playground...which may be all right given that lunch, recess and gym classes are abbreviated! Also, while security measures are in place for the main building, portables are not so easily secured.
- 80 Town homes means about 240 new people for whom services must be extended. This is 240 people who will be using the same infrastructure, schools, police services....all of which are already overtaxed. Currently, we do not receive trash pick up. Can increased delays in response to emergencies be far behind? In the big picture, we need to be mindful of the cost off-set that will result from our "improvements" and the increase in tax revenues. If the resultant number is negative, then there will be a problem to deal with in the future....Far fewer detached single-family houses can produce the same revenue base without the resulting high increase in need for services.
- The proposed development may cause little in the way of traditional environmental impact such as loss of trees and run off, but it will adversely affect the environment in terms of increased use—wear and tear on the physical infrastructure, increased garbage/littering, tensions from crowding, perceptions of safety, noise and light pollution (that can be mitigated through building high walls which in turn are unsightly). All of these issues are important to residents and so should also be important to Planning and City Councils. One last point on perceptions of the environment—the proposed plan is straight out ugly. Higher density housing that does not appeal to the eye will contribute to the further "ghettoization" of Gaithersburg.

QUALITY OF LIFE

While considerations of quality of life do not seem relevant to the law or the mathematics of planning, it is of utmost import to the people most affected. The residents who moved to Gaithersburg, bought property, put down roots and raised families are those affected directly. Why do planners never hold public meetings before developer proposals are solicited to get an understanding of community values and needs? Why do they not speak to teachers and businesses about the kind of facilities that are required to build a long-lasting, vibrant community? People do not like to have things done to them; they like to participate and share an expertise that is too rarely held by planners. Residents know the neighborhood, the direction it has been moving and the direction it needs to go. Sometime, it would be valuable to start the planning process where it needs to start—with residents and neighborhood leaders—for that's where it will end up.

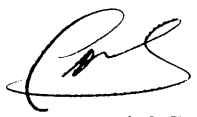
Also, it is important to note that just as perceived quality of life attracted residents to our community, decreases will send them packing. We both grew up in New York City. One of us lived through the "white flight" from the Bronx in the late 1960's. Believe us when we tell you about the level of devastation to existing social systems brought on by the loss of neighborhood stability, as the core constituency moved from apartment buildings to co-ops elsewhere and landlords scrambled to find anyone who would lease their apartments. The point here is that growth can not be solely opportunistic. When it is, someone else suffers. Growth should be a positive situation for all involved. We have this chance to get it right.

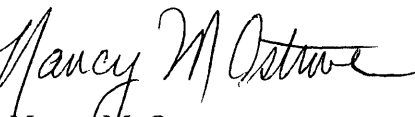
Again, residents understand the desirability for annexation and growth. However, residents want planned growth that improves the community for everyone. Eighty town homes will cause adverse problems relative to half the number of single-family detached units. This number of town homes will decrease the quality of life by the following.

- Increasing crowding in the neighborhood, making it a more competitive and therefore more volatile place to walk, play and live
- Decreasing perception of personal and vehicular security (and who really wants that?)
- Decreasing quality of amenities through increased use, competition for access, decreased number of facilities—both parts of X-181 are commonly used for recreation.
- Decreased quality of schools because of increased overcrowding. Remember, because of the large percentage of rental properties, the population attending our schools is transient. Even if only 23 new children enroll in Fields Road from the proposed development, the school has never had a year when the population served did not grow because of shifting demographics.

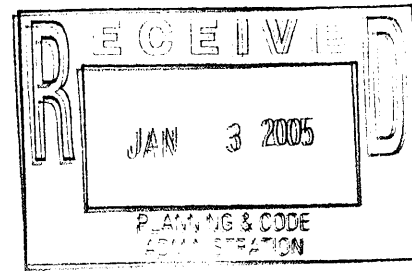
For all of these reasons, we want to make clear our endorsement of the annexation without the current plan for development. We would cheerfully endorse the annexation with a plan for single-family detached homes as we view this as contributing to neighborhood quality, not detracting from it as the current plan clearly intends.

Sincerely,


Paul J. Brounstein


Nancy M. Ostrove

23 Norwich Court
Gaithersburg, MD 20878
December 23, 2004



Gaithersburg Planning Commission
31 South Summit Ave.
Gaithersburg, MD 20877

Dear Commissioners,

This letter is in reference to the Annexation Petition (X181) from the Crown Family for the two smaller parcels of their land they are calling Crown Point.

I am in favor of annexing this property into the City of Gaithersburg but not at the expense of having it zoned and/or developed into the 80 townhouses requested or medium/high density anything.

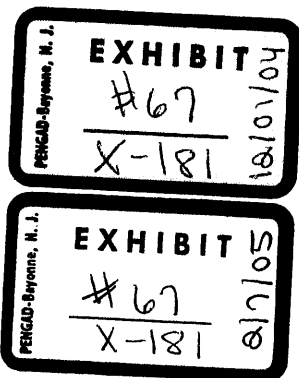
While I would prefer that the land be kept as open space, I realize that that is not an option. The next best thing for both this neighborhood and the City of Gaithersburg is to have single-family detached houses on this land.

I am asking you to please recommend that this property be annexed into the City with the appropriate zoning for single-family detached houses. Attached are some facts/information I believe support this request.

Sincerely,

A handwritten signature in cursive script, appearing to read "Carol S. Martin".

Carol S. Martin



The neighborhood surrounding the two Crown Point parcels is currently comprised of 78.84% (1587) townhouses, 8.35% (168) condominium apartments, 8.35% (168) rental apartments and only 4.47% (90) single-family detached homes. In contrast, in 2002, the City of Gaithersburg had 20.4% single-family detached houses and 29.6% townhouses (from City of Gaithersburg Process and Overview, 2003, March 29, 2004, page 38). These numbers clearly show the imbalance of housing types in this neighborhood as well as the need for more single-family *detached* houses in this neighborhood.

As you are aware, the master planning process for the City of Gaithersburg has changed from being based on “neighborhoods” to being “element” based. The Crown Farm Special Study Area portion of the 2003 Land Use Plan has not yet been completed; therefore, we must rely on the July 1997 Neighborhood Three Land Use Plan which does address the two parcels of land in question. On page 28 of that plan, it indicates that the Gaithersburg Planning Commission and Mayor & Council adopted low density for both of these parcels. The density proposed by the North Gaithersburg Investment, LLC is contrary to this. The August 1999 City of Gaithersburg Housing Policy states “Refrain from the approval of the development of residential communities composed solely of townhouse units or multi-family units unless the public interest otherwise dictates.” The North Gaithersburg Investment, LLC is proposing to build a development comprised solely of townhouses, which is contrary to the housing policy.

The City of Gaithersburg Process and Overview, 2003, Housing: March 29, 2004, page 24, states:

- 1) “Objective A: Encourage the development of single family homes (including townhouses) where housing is appropriate to offset the current housing imbalance.” The word “imbalance” is key here. There is an imbalance in the types of single-family homes currently located in the immediate vicinity of the Crown Point parcels. In the immediate area surrounding the two Crown parcels, there are 1193 townhouses and only 90 single-family detached houses (north of Sam Eig Highway and south of Muddy Branch Road). There are NO single-family detached houses on the south side of Sam Eig Highway (with the exception of the homes owned and occupied by the Crown family on their farm).
- 2) “Objective B: Limit new development when the transportation system can not support an increase in volume.” “Action 1: Consider current congestion, funded improvements, and planned improvements when determining whether the proposed development can be supported.” (from City of Gaithersburg Process and Overview, 2003, Transportation: March 29, 2004, page 19) There are current vehicle stacking issues at the Crown Farm Road/Story Drive, Gold Kettle/Story Drive, Story Drive/Diamondback Drive, and Bickerstaff/Diamondback Drive intersections. Additional development in this area will only add to these stacking issues. Even though the City of Gaithersburg has attempted several times to improve the visibility issue at the Crown Farm Road/Story Drive intersection, there is still a safety issue at this intersection. To my knowledge, there are no planned improvements to address either of these issues or any of the other safety/traffic issues in this area.

I find it hard to believe that anyone would say that there is enough school capacity available to accommodate 80 additional townhouses. The following is from the Montgomery County Schools web site (exact URLs are in parenthesis):

- Fields Road Elementary School was built in 1973 and has a capacity of 408 students. Currently, there are 8 relocatable classrooms (trailers) and a student population of 505 students. (From <http://www.mcps.k12.md.us/departments/regulatoryaccountability/glance/fy2004/schools/02566.pdf>) This means that this school is 23.8% over capacity now.

- Ridgeview Middle School was built in 1975 and has a capacity of 1005 students. Currently, there are 3 relocatable classrooms (trailers) and a student population of 1036. (From <http://www.mcps.k12.md.us/departments/regulatoryaccountability/glance/fy2004/schools/03105.pdf>) This means that this school is 1.3% over capacity now.

- Quince Orchard High School was built in 1988 and has a capacity of 1799 students. Currently, it has a student population of 1874. (From <http://www.mcps.k12.md.us/departments/regulatoryaccountability/glance/fy2004/schools/04125.pdf>) This means that this school is 4.2% over capacity now.

The attachment to the letter from Derick P. Berlage, Chairman, The Maryland-National Capital Park and Planning Commission, to Steve Silverman, President, Montgomery County Council, dated June 25, 2004, talks about school capacity measures and the determination of adequacy. It states: "If the projected enrollment at any grade level in that cluster will exceed 110% of capacity, the board must not approve any residential subdivision in that cluster during FY 2005." Clearly Fields Road Elementary School is more than 10% over capacity.

A Traffic Analysis was performed for the North Gaithersburg Investment, LLC by The Traffic Group in early November 2004. It is questionable as to whether or not this analysis and the counts provided in the study are representative of reality because

- Counts (traffic and pedestrian) were performed on only one day at each of the intersections that they chose to count in the month of November.
- Counts were only done on a weekday.
- Counts (traffic and pedestrian) were only performed for the hours of 6:30 to 9:30 a.m. and 4 to 7 p.m.
- Does not include statistics for the Crown Farm Road/School Drive and Gold Kettle/School Drive intersections. This means that the two intersections that are integral to the traffic pattern that the residents of the largest parcel in question would have to pass through were not included in the traffic analysis.

Of prime importance is the fact that this traffic study does not adequately address vehicle stacking on Crown Farm Road at Story Drive, Gold Kettle at Story Drive, Story Drive at Diamondback Drive, Bickerstaff at Diamondback, Diamondback Drive at Sam Eig Highway, as well as Diamondback at Muddy Branch Road. Additionally, it does not address safety issues at these 6 intersections.

In order to get a true picture of the traffic and pedestrian situation in this area, the traffic study, particularly vehicle and pedestrian counts, should be performed for the entire day for several days in a row over the course of several weeks.

A December 8, 2004 letter from The Traffic Group to the North Gaithersburg Investments, LLC shows that the number of accidents at the Sam Eig Highway/Diamondback Drive intersection have increased from 4 in 2001 to 6 in 2002 to 11 in 2003 (no statistics are given for 2004). We are missing the accident statistics for the intersections of Crown Farm Road/Story Drive, Gold Kettle/Story Drive, Diamondback/Story Drive, and Diamondback/Muddy Branch Road. Also missing are the accident statistics for the ramps, etc. on Sam Eig Highway where weaving distances are extremely short: from 270 to the ramp to Washingtonian Blvd.; from the ramps from Washingtonian Blvd. to Sam Eig Highway (both directions); from Sam Eig Highway under the bridge at Washingtonian Blvd. to right lane to turn onto Diamondback Drive; from bridge ramp onto Sam Eig Highway far left lane to turn onto Fields Road; from Washingtonian Blvd. to Sam Eig Highway to go north on 270/370 to subway station; and from Sam Eig Highway onto Diamondback Drive to far left lane to turn onto Bickerstaff.

We keep hearing about “smart growth” as being the placement of high-density housing in the immediate vicinity of transit/metro stops. The two Crown Point parcels are not in the immediate vicinity of either a current or a planned transit/metro stop; therefore, high-density housing is not justified.

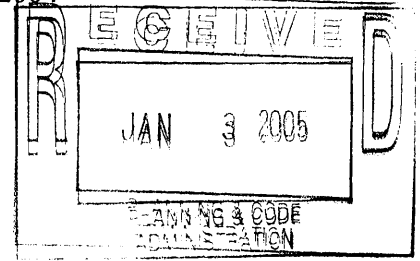
Appendix A (Intersection Analysis) of the July 1990 Montgomery County Department of Park and Planning Shady Grove Study Area Master Plan talks about a proposed grade separated diamond interchange at the intersection of Sam Eig Highway and Diamondback Drive. If this interchange is built, it will require a good portion of both of the Crown Point parcels. The Appendix also indicates that at-grade solutions may work. The operative word here is “may”. Considering the yearly increase in the number of accidents at this intersection, “may work” is not acceptable (accident statistics in 2nd paragraph above).

When the Inter-county Connector is built, Sam Eig Highway at Great Seneca Highway will be the terminus in Montgomery County (it is only a matter of time before this highway becomes a reality). With the Inter-county Connector, will come an increase in traffic and with an increase in traffic will come the need for better traffic management. This means that the grade separation at the intersection of Sam Eig Highway and Diamondback Road will probably be needed; therefore, land easements should be set aside to accommodate this future need.

The traffic engineering issues with which we are currently dealing are a result of years of accommodating the desires of developers. It is time to start requiring developers to adequately provide for the vehicle and pedestrian traffic and safety requirements that their developments will bring to the community.

1 Watch Hill Court
Gaithersburg, MD 20878
December 29, 2004

Gaithersburg Planning Commission
31 South Summit Ave.
Gaithersburg, Maryland 20877



Dear Planning Commission Members:

I am writing to express **strong opposition** to the CROWN FARM POINT plan for the construction of 80 townhouses. It is evident that this proposal is contrary to the Gaithersburg Housing Policy. The proposal is incompatible with the policy as follows:

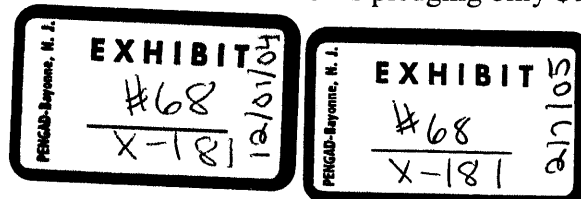
- Does not offer a diversity of housing types
- Does not fulfill the mandate of **50% single family detached housing**
- Will have an adverse impact on existing educational facilities
- The present transportation infrastructure is not in place and/or planned or funded to support proposed higher density housing plan

Present Townhouse Numbers:

The Townes of Warther-335 Units
Greens of Warther- 159 Units
Washingtonian Towns- 212 Units
Shady Grove Village I-177 Units
Shady Grove Village II, Parcel 2- 122 Units
Shady Grove Village II, Parcel 3 - 108 Units
Shady Grove Village III - 80 Units
Lakewood Commons 168 apartments
(West of Muddy Branch)
Amberfield 394 Townhouse Units
Timberbrook 168 Apartment Condo's

OVER 1587 TOWNHOMES! vs. 90 single detached homes.
(Washingtonian Village* - 90 Units SINGLE DETACHED HOMES)

In today's Gaithersburg Gazette** an article regarding school funding makes it quite clear there is not enough funding to build new schools. The local schools are presently all overcrowded and most have mobile classrooms. In fact Montgomery County presently must utilize 719 portable classrooms. Montgomery County is requesting 126 million for fiscal year 2006 while the Governor is pledging only \$100 million for the entire state!



Crowds of students wait on street corners for buses while hurried drivers are traveling on these same congested roadways attempting to get to work. Crown Farm Road cannot handle an additional increase in traffic! Not to mention the numerous accidents at the intersection of Diamond Back and Sam Eig Highways. (the number of accidents have increased each year for the past 3 years!)

Another related area that will exacerbate the traffic congestion is the “commercial office” complex that has also been proposed on the 28 acre site north of Sam Eig Highway that when built will add a considerable amount of traffic to these roads.

In conclusion the quality of life in regards to traffic congestion, the local school issues and safety in general are already serious issues. Just trying to get through stop lights and find a parking space to bank or shop is an aggravating experience. To add 80 additional townhouses to this congested area not only flies in the face of the Gaithersburg Housing Policy but goes beyond “common sense”.

The Planning Commission should advise the City Council to annex the Crown Point property, however I strongly urge the commission to recommend that the property be zoned for no more than 45 **single detached homes**.

Washingtonian Village (90 single detached homes would be required to share its **one access point -- Crown Farm Road with the proposed Crown Farm Point townhouses*

***"School Systems have a long road to increase funding". Gaithersburg Gazette 12/29/04. page A-13*

Sincerely,


Raymond Matkowski

c/o ComSource Management, Inc.,
16 Executive Park Court
Gaithersburg MD 20874

January 2, 2005

Gaithersburg Planning Commission
31 South Summit Avenue
Gaithersburg MD 20877

Dear Gaithersburg Planning Commission,

Subject: Crown Point Annexation and Zoning

The Board of Directors of Timberbrook Condominium does not oppose the annexation of the Crown Point properties into the City of Gaithersburg but we do oppose the development of 80 townhomes on this property because we believe such a development would be too dense and create too much additional traffic on existing roads and more overcrowding in the surrounding schools.

Our preferred alternative is for the City of Gaithersburg to buy the properties and retain them as they are for recreational use and for the visual relief that prompted many of us to move to Gaithersburg. If that is not a feasible alternative then we would prefer some other less dense form of development that would not contribute between 160 and 240 additional vehicles to the roads and perhaps an equal number of children to the neighborhood schools.

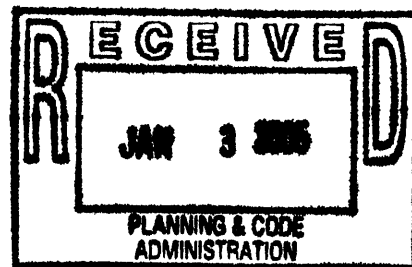
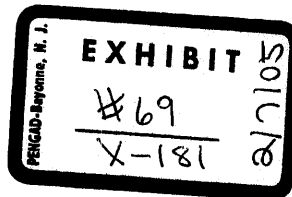
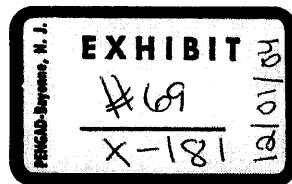
Sincerely,

Michael Dennis

Michael Fordham Dennis
President, Board of Directors
Timberbrook Condominium

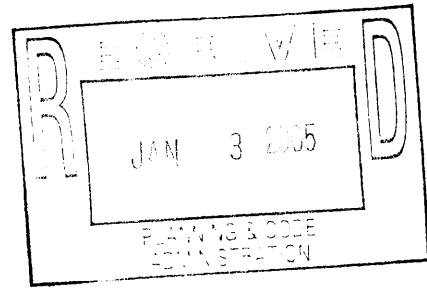
MFD

cc: Gaithersburg Mayor and City Council, MNCPPC, Montgomery County Council



December 29, 2004

Roman Vladimirsky
Polina Vladimirsky
5 Watch Hill Place
Gaithersburg, MD 20878
(301) 990-9634



Gaithersburg Planning Commission
Attn: John Bauer, Victor Hicks, Leonard Levy, and Danny Winborne
31 South Summit Ave
Gaithersburg, MD 20877

To Whom It May Concern:

This letter is concerning the Crown property annexation and zoning. This issue has become a great concern to our family and we would like you to take these issues into consideration when making your decision in regard to building the two Crown pieces of property bordered by Sam Eig Highway and Diamondback Drive.

We are not opposed to annexation of the two Crown Point parcels, however not at the expense of having them developed into 80 townhouses. Single-family detached housing would be the much-preferred option.

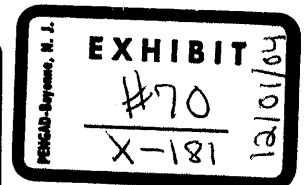
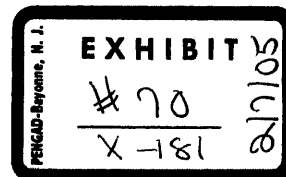
We are already experiencing stacking issues at Watch Hill Lane and Crown Farm Road / Story Drive intersection. Additional development in this area will only add to these stacking issues. Even though the City of Gaithersburg has attempted several times to improve the visibility issue at the Crown Farm Road / Story Drive intersection, there is still a safety issue at this intersections. To our knowledge, there are no planned improvements to address either of these issues.

Another concern is the traffic in this area. We are having a very hard time with traffic, especially in the early morning and afternoon with all the school busses and school children that have to walk from Story Drive to the nearby neighborhoods. If more cars and traffic are mixed into this picture it is going to be even more dangerous for the children and the pedestrians crossing these streets.

We really hope that you will take our concerns into serious consideration when making your decision in regard to this issue.

Sincerely,

Roman and Polina Vladimirsky



December 29, 2004

JAN - 4 2005

Roman Vladimírsky
Polina Vladimírsky
5 Watch Hill Place
Gaithersburg, MD 20878
(301) 990-9634

Gaithersburg Mayor and City Council
Attn: Mayor Sidney Katz, Stanley Alster, Geri Edens, Blance Keller, Henry Marraffa, and John Schlichting
31 South Summit Ave
Gaithersburg, MD 20877

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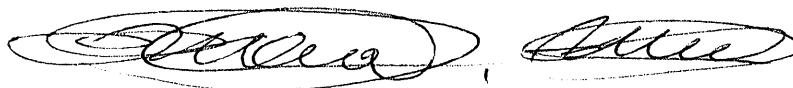
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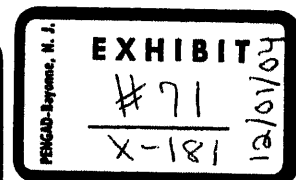
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Sincerely,



Roman and Polina Vladimírsky



BROWER, KRIZ & STYNCHCOMB, LLC

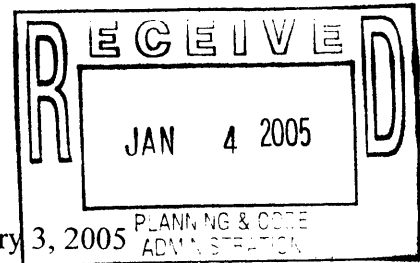
CONSULTANTS TO THE CONSTRUCTION INDUSTRY

1375 PICCARD DRIVE, SUITE 150

ROCKVILLE, MARYLAND 20850

TELEPHONE: 301-977-8000

FACSIMILE: 301-977-8072



January 3, 2005

Honorable Sidney Katz
Mayor, City of Gaithersburg
City Hall
31 South Summit Avenue
Gaithersburg, MD 20877

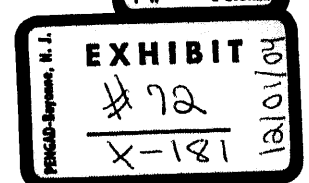
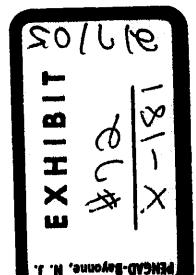
RE: Crown Property Annexation and Zoning

Dear Mayor Katz:

I have been a resident of Gaithersburg for over twenty years and live at 11 Gibson Court, which is proximate to the Crown properties currently in question as to zoning and development. It has been my understanding for many years that the relatively small piece of property that is bounded by Crown Farm Road, Diamondback Drive, Sam Eig Highway and Story Drive had been set aside for a future interchange at the juncture of Sam Eig Highway and Diamondback Drive. Furthermore, I had been informed that, when the development of the overall Crown farm property occurs sometime in the foreseeable future, Diamondback Drive would become a major artery, crossing into the current farm property to serve that development. Moreover, I do not believe that I am alone in the anticipation that the Intercounty Connector will eventually connect with Sam Eig Highway, making this a major feeder highway on the periphery of my neighborhood and resulting in the need for a substantially enlarged interchange at the juncture of Diamondback Drive and Sam Eig Highway.

Thus, it was with surprise and deep concern that I became aware of the attempt to rezone the various pieces of Crown property in the proximity of the aforementioned interchange for the purpose of developing this property into high density townhouse dwellings. In addition to my concerns regarding the planning needed to accommodate future, substantially increased traffic burdens and the need for major interchanges on roads crossing Sam Eig Highway, such as Diamondback Drive, I am equally disturbed by the proposal to add high density townhouse dwellings on the referenced Crown property rather than single family housing in terms of the current substantial disparity in the ratio of townhouses to single family dwellings that exists in our vicinity.

The land in our general vicinity is currently substantially over saturated with low and moderate income high density townhouse and rental dwelling. Our small neighborhood that is fed by Crown Farm Road is the only single family housing development for a substantial distance. To my knowledge, virtually the entire area bounded by Shady Grove Road, Great Seneca Highway, Muddy Branch Road and running to Deer Park is, with the exception of our small single family housing neighborhood, exclusively comprised of low and moderate income high density



SOUTHWESTERN REGIONAL OFFICE

HOUSTON, TEXAS

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BROWER, KRIZ & STYNCHCOMB, LLC

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Hon. Sidney Katz
January 3, 2005

townhouse dwellings and apartments. The proposed development of the Crown properties into high density townhouse dwellings represents a substantial departure from the heretofore well managed growth planning of our area, both in the City of Gaithersburg and in Montgomery County, and constitutes a remarkable inequity in the distribution of single family housing in our entire geographic area.

Not only will this ill conceived request for rezoning of the Crown properties result in a significant degree of added congestion in an already densely populated sector of Montgomery County, it will obviate the use of this property for the construction of major highway interchanges that will certainly be needed in the foreseeable future. Of particular concern is the small parcel of Crown property that is bounded by Sam Eig Highway, Diamondback Road, Shady Grove Road and Crown Farm Road. To suggest that this small parcel be occupied by high density townhouse dwellings is, at the very least shortsighted and should more appropriately be characterized as irresponsible, given the foreseeable need for intersection planning at the juncture of Sam Eig Highway and Diamondback Road.

Moreover, it was my understanding that in areas already containing a high ratio of high density housing compared with single family dwellings, such as the areas proximate to my neighborhood, new high density housing would be targeted to areas adjacent to public transportation such as the metro system. If my understanding of this plan is correct, and the logic of such planning is obvious and sound, then the construction of high density townhouses on the Crown property runs contrary to this logic. Property substantially closer to the Shady Grove Metro station should, more correctly, be the target for high density housing development. If the Crown properties are to be developed, then such development should be strictly limited to single family dwellings.

The current request for rezoning of the aforementioned Crown properties to allow for high density townhouse dwellings should be denied for a host of reasons; two principle reasons being the adverse impact to the current and future traffic flow in our area and the disparity in the ratio of single family housing to multi-family housing in our general vicinity. When the current ratio of single family to multi-family housing units is reviewed, this reason alone should for a responsible and sound basis for denial of the plan to erect further high density townhouse structures in our area.

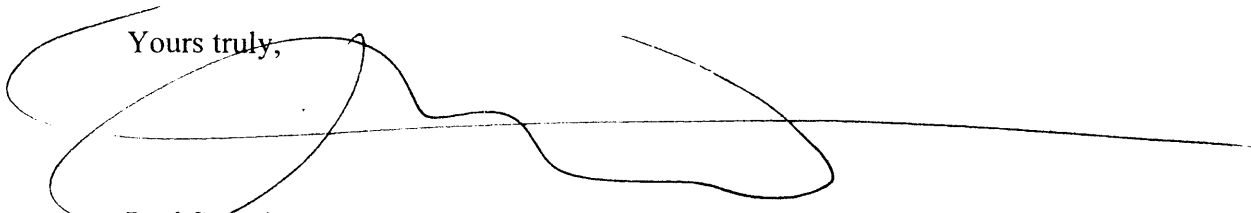
BROWER, KRIZ & STYNCHCOMB, LLC

Page 3
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By way of this letter and the copies thereto as enumerated below, I am respectfully requesting that your office, as well as the Gaithersburg City Counsel, Gaithersburg Planning Commission, Maryland-National Capital Park and Planning Commission and the Montgomery County Council, soundly reject the request for rezoning of the referenced property for development as high density townhouse dwellings. To the extent that those who hold the public trust with regard to land development are of the opinion that some or all of the referenced Crown properties should be rezoned for dwellings, at the very least these dwellings should be classified as detached, lower density single family dwellings.

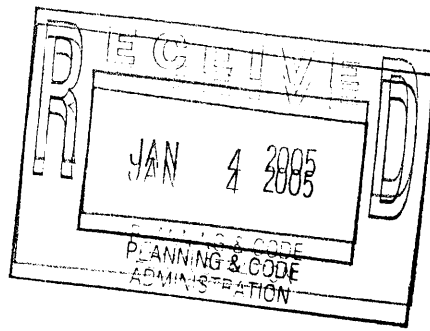
Your careful consideration of the foregoing critical issues is respectfully requested. Please deny the current petition to rezone the Crown properties for the purpose of constructing high density townhouse structures and move to, at the very most, rezone these properties for lower density, single family dwellings.

Yours truly,



Paul Stynchcomb

cc: Ms. Geri Edens, Gaithersburg City Counsel
Mr. John Bauer, Gaithersburg Planning Commission
Mr. Derick Berlage, Chairman, MD-NCPPC
Mr. Michael Subin, Montgomery County Counsel
Ms. Carol Martin
Mr. Barry Swartz



January 4, 2005
5 GIBSON PLACE
G'burg, MD 20878

John Bauer, and
Gaithersburg Planning Commission: Victor Kicks, Leonard Levy
Danny Winborne

Dear Mr. Bauer and Planning Commission Members:

We are writing to let you know we are not opposed to annexation of the two (2) Crown Point parcels but not at the expense of having them developed into 80 townhouses. Single-family detached housing is our preferred option. We and my fellow neighbors are exceptionally concerned about the efforts being put forth to **squeeze 80 MORE townhouses** onto two small pieces of land bordering our community.

At the December 1, 2004, Planning Commission meeting the developer's attorney was asked by a neighbor to build single-family homes on the two (2) pieces of land since so few have ever been built in our area and single-family homes would bring less population and less stress on the existing infrastructure. To this the attorney promptly replied ***"this land lends itself to more townhouses because the land is already surrounded by townhouses"***. In my opinion that is exactly why we the residents of this area of Gaithersburg DO NOT WANT ANY MORE TOWNHOUSES BUILT HERE. The ratio of single-family homes to townhouses right now is way, way, way out of proportion.

"Refrain from the approval of the development of residential communities composed solely of townhouse units or multi-family units unless the public interest otherwise dictates." (From City of Gaithersburg Housing Policy, August 1999)

Townhouses are inner city dwellings – more people, more cars, more children and more of these will only add additional stress to our local services (roads, parking and shopping at Muddy Branch Shopping Center). It is inconceivable to even think for two (2) seconds about building townhouses on that land. Only someone who doesn't reside here would give it a thought since they are so far removed from the problems sure to result.

- Gaithersburg Planning Commission and Mayor & Council adopted low density residential for both parcels. (From City of Gaithersburg Neighborhood Three Land Use Plan, July 1997, page 28)

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-Fields Road Elementary School was built in 1973 and has a capacity of 408 students. Currently, there are 8 relocatable classrooms (trailers) and a student population of 505 students. (From <http://www.mcps.k12.md.us/departments/regulatoryaccountability/blance/fy2004/schools/02566.pdf>) ***This means that this school is 213.8% over capacity now.***

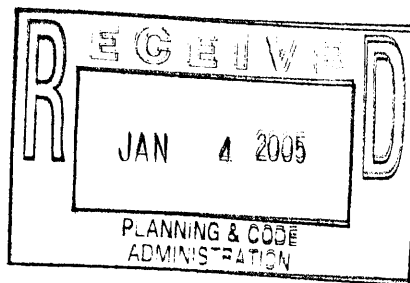
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Here we are living virtually right next to 270 and it is now taking 12-14 minutes in the morning to drive to 270 from our home in Washingtonian ~~Woods~~ ^{Village}. **Can you even imagine having three new streets with approximately 160 more cars (minimum of 2 cars per townhouse) jostling to get out onto Crown Farm Road - our one road for ingress and egress. This idea is highly unacceptable - a traffic nightmare waiting to happen.**

We strongly request that our Gaithersburg Planning Commission members take into consideration the points we are making in this letter and vote against building any townhouses or commercial buildings on these two (2) properties.

Sincerely,

*Michael A. Snely
Linda H. McCoy
5 Gibson Place, Gaithersburg*



January 4, 2005

13 GIBSON PLACE
GAITHERSBURG, MD
20878

John Bauer, and
Gaithersburg Planning Commission: Victor Kicks, Leonard Levy
Danny Winborne

Dear Mr. Bauer and Planning Commission Members:

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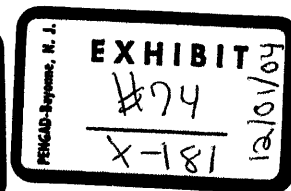
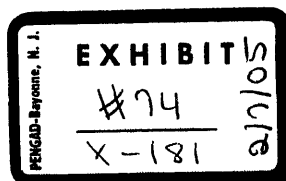
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Here we are living virtually right next to 270 and it is now taking 12-14 minutes in the morning to drive to 270 from our home in Washingtonian Woods. ^{Village} Can you even imagine having three new streets with approximately 160 more cars (minimum of 2 cars per townhouse) jostling to get out onto Crown Farm Road - our one road for ingress and egress. This idea is highly unacceptable - a traffic nightmare waiting to happen.

We strongly request that our Gaithersburg Planning Commission members take into consideration the points we are making in this letter and vote against building any townhouses or commercial buildings on these two (2) properties.

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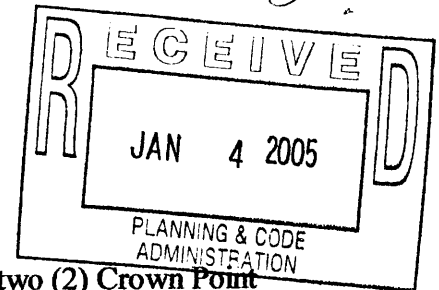


PHILIP KAPLAN
13 GIBSON PL
91 BURL, MD
20878

January 4, 2005

11 GIBSON PLACE
Gaithersburg, MD

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Gaithersburg Planning Commission: Victor Kicks, Leonard Levy
Danny Winborne



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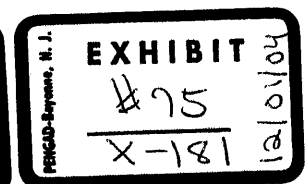
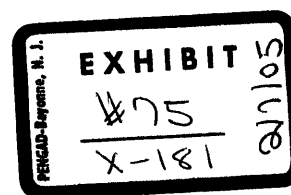
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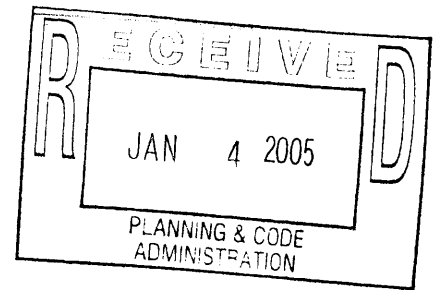
Sincerely,

Robin Cheis
11 Gibson Place
Gaithersburg, md 20878

6 Gibson Court
Gaithersburg, MD 20878

January 3, 2005

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Gaithersburg Planning Commission: Victor Hicks, Leonard Levy
Danny Winborne
31 South Summit Avenue
Gaithersburg, Maryland 20877



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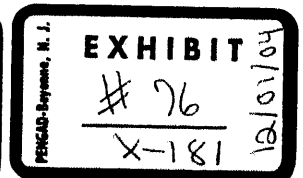
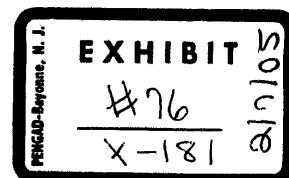
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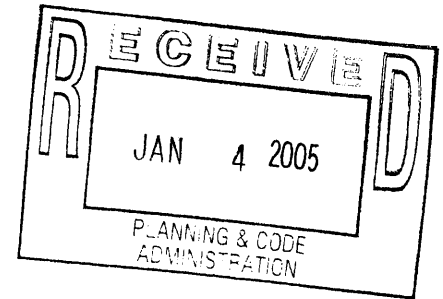
Sincerely,

Zita Correa
Zita Correa
6 Gibson Court
Gaithersburg, MD
20878
301 921-9588

6 GIBSON COURT
GAITHERSBURG, MD 20878

January 4, 2005

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Gaithersburg Planning Commission: Victor Hicks, Leonard Levy
Danny Winborne
31 South Summit Avenue
Gaithersburg, Maryland 20877



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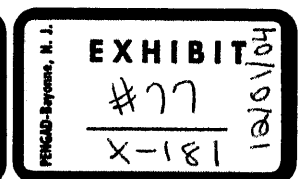
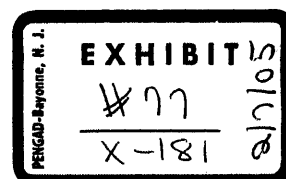
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Raquel Correa

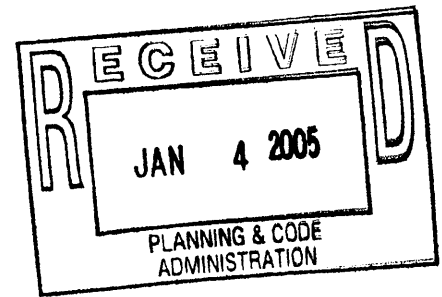
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20878

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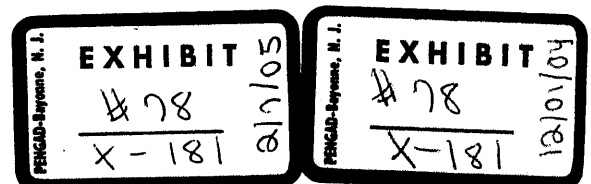
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Page 2
January 4th, 2005

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We strongly request that our Gaithersburg Planning Commission members take into consideration the points we are making in this letter and vote against building any townhouses or commercial buildings on these two (2) properties.

Sincerely,

Julia Correa

Sierra Correa

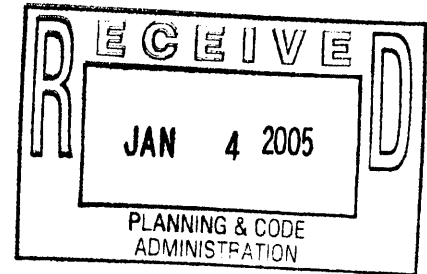
6 Gibson Court

Gaithersburg, MD 20878

6 GIBSON COURT
GAITHERSBURG, MD 20878

January 4, 2005

John Bauer and
Gaithersburg Planning Commission: Victor Hicks, Leonard Levy
Danny Winborne
31 South Summit Avenue
Gaithersburg, Maryland 20877



Dear Mr. Bauer and Planning Commission:

We are writing to let you know we are not opposed to annexation of the two (2) Crown Point parcels but not at the expense of having them developed into 80 townhouses. Single-family detached housing is our preferred option. We and my fellow neighbors are exceptionally concerned about the efforts being put forth to **squeeze 80 MORE townhouses** onto two small pieces of land bordering our community.

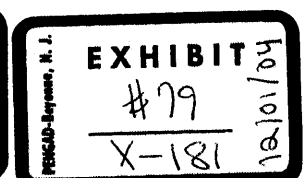
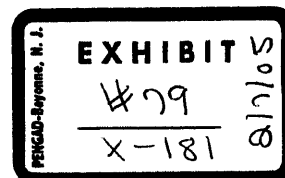
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Page 2
January 3rd, 2005

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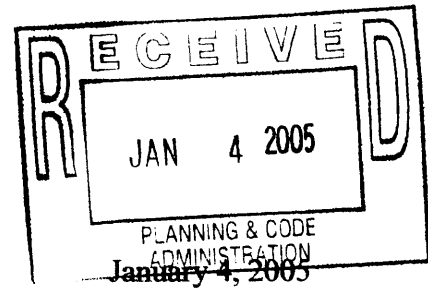
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Sincerely,



Craig A. Correa
6 Gibson Court
Gaithersburg MD 20878

W. Kent Howard
7 Gibson Place
Gaithersburg, Maryland 20878



Gaithersburg Planning Commission
John Bauer, Victor Hicks, Leonard Levy, Danny Winborne

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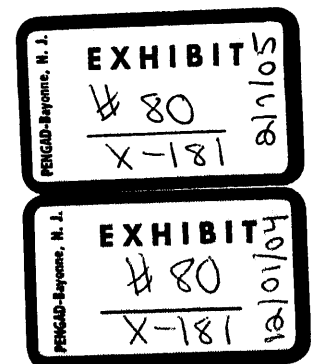
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Current number of housing units by development per Ms. Trudy Schwarz, City of Gaithersburg Community Planning Director:

East of Muddy Branch Road

- Washingtonian Village (Crestfield): **90** single-family detached houses
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January 4, 2005

West of Muddy Branch

- | | |
|----------------|----------------------------|
| - Amberfield: | 394 townhouses |
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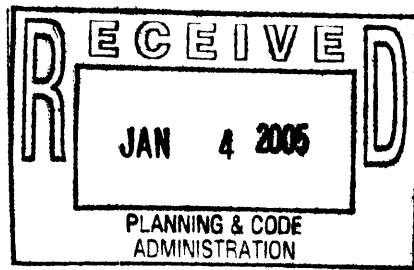
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Sincerely,


W. Kent Howard, 7 Gibson Place, Gaithersburg



Howard Cheris
11 Gibson Place
Gaithersburg, MD 20878

January 4, 2005

John Bauer, and
Gaithersburg Planning Commission: Victor Kicks, Leonard Levy
Danny Winborne

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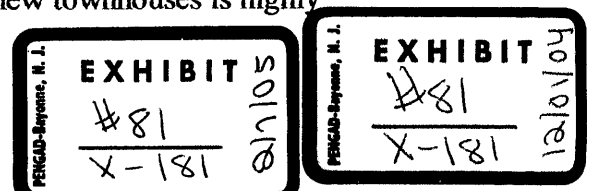
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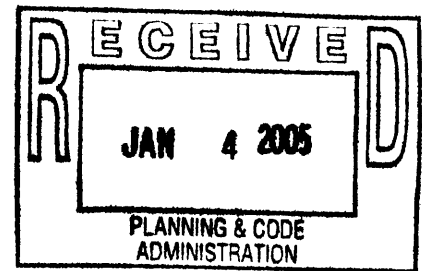
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Sincerely,

Howard Chis
11 Gibson Place
Gaithersburg, md 20878

Carolyn Connors-Howard
7 Gibson Place
Gaithersburg, Maryland 20878



January 4, 2005

Gaithersburg Planning Commission
John Bauer, Victor Hicks, Leonard Levy, Danny Winborne

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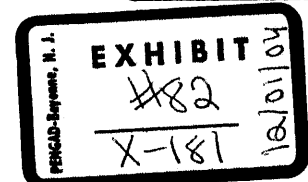
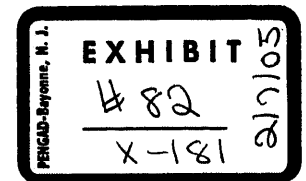
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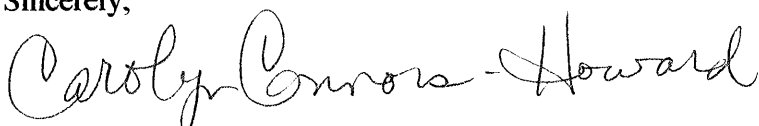
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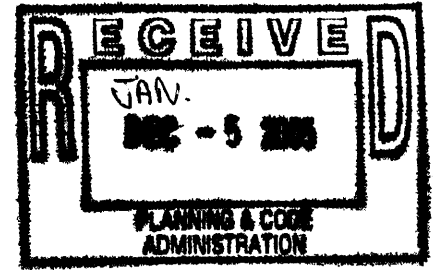
Sincerely,



Carolyn Connors-Howard, 7 Gibson Place, Gaithersburg

PMD MANAGEMENT CONSULTANTS
410 Watch Hill Lane
Gaithersburg, MD 20878

January 3, 2005



John Bauer
Gaithersburg Planning Commission
31 South Summit Avenue
Gaithersburg, MD 20877

Dear Mr. Bauer,

I am writing to you to let you know I am opposed to the development proposal to include currently being considered for the Crown Point parcels. I am both a resident and business owner in this fair City. While I am not opposed to the annexation per say. Building 80 townhouses on that property is contrary to a number of objectives set down by the City itself, objectives, which in my opinion are good and fair.

City of Gaithersburg Housing Policy, August 1999

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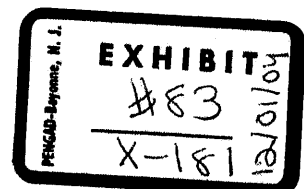
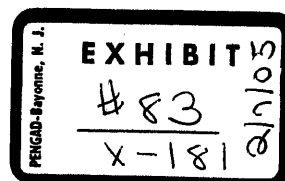
City of Gaithersburg Neighborhood Three Land Use Plan, July 1997, page 28
Planning Commission and Mayor & Council adopted low density residential for both parcels.

City of Gaithersburg Process and Overview, 2003; March 29, 2004, page 38)
In 2002, the City of Gaithersburg had 20.4 percent single-family detached houses and 29.6 percent townhouses.

City of Gaithersburg Process and Overview, 2003, Housing: March 29, 2004, page 24
"Objective A: Encourage the development of single family homes (including townhouses) where housing is appropriate to offset the current housing imbalance."

The neighborhood surrounding the two Crown Point parcels is comprised of 4.47% (90) single-family detached homes, 78.84% (1587) townhouses, 8.35% (168) condominium apartments and 8.35% (168) low-income rental apartments. These numbers clearly show the imbalance of housing types in this neighborhood.

There is also the issue of sufficient capacity in the public schools in the area. Each grade level from elementary school to high school is already beyond capacity. Let me repeat that. Each grade level from elementary school to high school is already beyond capacity.



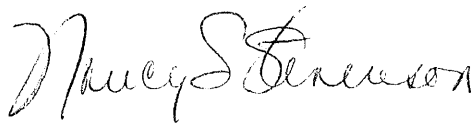
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- Ridgeview Middle School was built in 1975 and has a capacity of 1005 students. Currently, there are 3 portable classrooms (trailers) and a student population of 1036. This school is 1.3% over capacity now.

- Quince Orchard High School was built in 1988 and has a capacity of 1799 students. Currently, it has a student population of 1874. This means that this school is 4.2% over capacity now.

Then there's the issue of traffic and the increase in accidents. At what point do we say enough is enough. If the Crown Point property is annexed, development should be limited to single-family houses. Your consideration for the surrounding neighborhoods and the quality of life for the entire City will be greatly appreciated.

Sincerely,

A handwritten signature in cursive script, reading "Nancy Sforza Stevenson". The signature is written in dark ink and is positioned above the printed name.

Nancy Sforza Stevenson
Resident and Business Owner

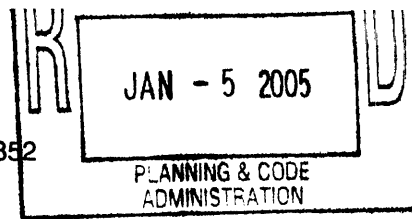


Abaris Realty, Inc.

12009 Nebel Street, Rockville, MD 20852

301-468-8919 • Fax: 301-468-0983

Web Site: www.abarisrealty.com



January 2, 2005

Gaithersburg Planning Commission
31 South Summit Ave.
Gaithersburg, MD 20877

Re: Proposed Annexation and re-zoning of Crown Property on Diamondback Dr.

To whom it may concern:

I am writing on behalf of the Amberfield Home Owners Association, Inc. ("Amberfield") which consists of 394 townhomes located near the intersection of Great Seneca Highway and Muddy Branch Road. Amberfield does not oppose the annexation by the City of Gaithersburg of the Crown Farm parcels located on the corner of Diamondback Drive and Sam Eig Highway. Nor does Amberfield oppose the development of the property for detached single family homes under the current low density zoning.

However, Amberfield strongly opposes the contract purchaser's proposed re-zoning of the property and the proposed construction of 80+ townhomes and for reasons states as follows:

1) Increased Traffic. Diamond Back Drive is highly congested during much of the day, not just at rush hour. The addition of 80 townhomes would likely result in nearly 200 additional vehicles traversing the intersection of Story Drive and Diamond Back. This is going to result in more traffic delays for Amberfield residents who rely upon Diamondback for access to I-370, I-270 and the Rio-Washingtonian retail complex.

2) Existing Overcapacity in Schools. Fields Road Elementary, Ridgeview Middle School and Quince Orchard High School are all currently at or over their maximum intended capacity. The development of the property with such a high density will only exacerbate this condition.



3) Impediment to future roadway expansion. If and when the Intercounty Connector is completed, the need for access to Sam Eig Highway will likely increase. To the extent that grade separation or other expansion of the intersection is needed to address the expected increase in usage, ample room needs to be set aside, by easement or otherwise, to allow for such future expansion. As proposed, the 80 townhomes would appear to impede any potential expansion of the roadway.

Thank you for taking the position of Amberfield HOA into consideration in this very important matter.

Sincerely,



Shireen Ambush, PCAM
Property Manager

Cc: Amberfield HOA Board of Directors

Gaithersburg Mayor & City Council
31 South Summit Avenue
Gaithersburg, MD 20877

MNCPPC
Derick Berlage, Chairman
8787 Georgia Avenue
Silver Spring, MD 20910

Montgomery County Council
100 Maryland Avenue
Rockville, MD 20849

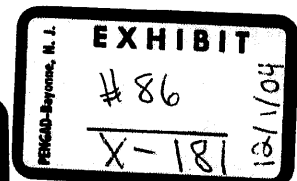
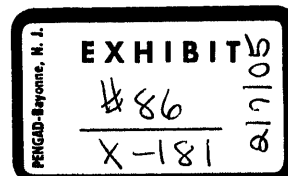
MEMORANDUM OF UNDERSTANDING

All parties to this Memorandum of Understanding share the conviction that the area's quality of life is dependent upon the maintenance of economic vitality. It is the economic base that helps provide the resources to support the services which make living in this area so attractive.

In order for Rockville, Gaithersburg, and Montgomery County to continue to enjoy the quality of life people have come to expect, it is essential that all jurisdictions support well-managed economic development and housing initiatives which will be mutually advantageous to all parties, and agree to the goals and principles of the General Plan.

Therefore, the Montgomery County Executive and the County Council of Montgomery County, sitting as the District Council, the Mayor and Council of the City of Rockville, and the Mayor and Council of the City of Gaithersburg agree to the following:

1. The City Councils, the County Council, and the Executive agree to work cooperatively to determine logical urban growth areas and to establish boundaries which will serve as guidelines for a twenty-year planning horizon regarding:
 - 1) Land use and required community facilities,
 - 2) Capital investment responsibilities, and
 - 3) Logical and efficient operating service areas.
2. Montgomery County will base its position of support on annexations upon the above three considerations and the designation of logical urban growth areas by Rockville and Gaithersburg. The Cities and the County will develop procedural guidelines for handling annexation agreements.



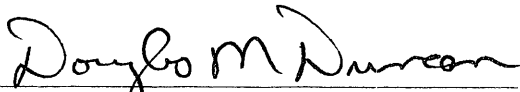
3. Rockville and Gaithersburg recognize the County's goal of requiring adequate public facilities in order to assure managed growth and acknowledge their accountability for the cooperative achievement of such goals. Within its boundaries each City will, however, assume responsibility for and determine how those goals should be measured and attained. It is the mutual intent of all parties that project funding and staging will relate to the timing of public facility availability and to that end will consult with each other as necessary to assure attainment of desired goals.
4. The County recognizes the ability of the two Cities to develop and implement public interest solutions to growth management concerns. City or County development plans for land located within the urban growth areas and on adjacent areas should seek to achieve the land use, transportation, and staging objectives of each of the affected jurisdictions, as defined in duly Approved and Adopted Master, Sector, or Neighborhood Plans. Every effort should be made by all parties to reconcile any differences in those objectives.
5. The City Councils, the County Council, the Executive, and the Montgomery County Planning Board agree to work on a cooperative basis in the development of plans and programs, including development districts, that affect parcels within the urban growth areas. Changes in land uses, staging, or zoning proposals for parcels within the urban growth areas will only be undertaken after the participation and consultation of the other parties. Any land annexed by either Gaithersburg or Rockville should include a staging component in the annexation agreement.
6. Rockville and Gaithersburg endorse the R & D Village concept outlined in the Shady Grove Study Area Adopted Plan as being in the best interest of both the Cities and the County.

7. Rockville and Gaithersburg recognize the importance of creative development initiatives such as Moderately Priced Dwelling Units (MPDU) and Transferable Development Rights (TDR). The Cities will continue to utilize these and other appropriate innovative concepts to further the common development goals for the area.
8. The Cities will cooperate in a master traffic control plan and transportation (including transit) system for the County.
9. The principles contained within this Memorandum are meant to apply to all future actions pertaining to land in the Cities or on or near the Cities' borders.
10. We recognize the importance of moving ahead on an early basis to establish a schedule of action and agree to meet frequently on these important issues.

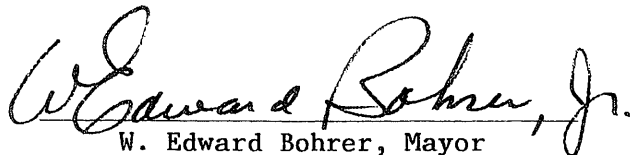
Dated this 23rd day of July in the year 1992.



Neal Potter
County Executive

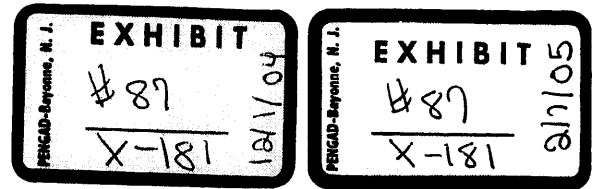


Douglas M. Duncan, Mayor
City of Rockville



W. Edward Bohrer, Mayor
City of Gaithersburg

LINOWES
AND BLOCHER LLP
ATTORNEYS AT LAW



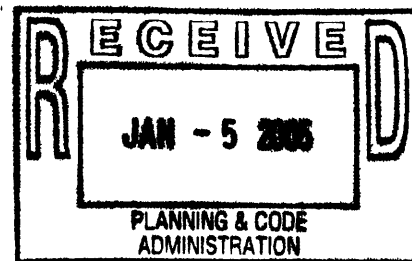
January 5, 2005

Barbara A. Sears
301.961.5157
bas@linowes-law.com

BY HAND DELIVERY

The Honorable Sidney Katz
and Members of the City Council
City of Gaithersburg
31 South Summit Avenue
Gaithersburg, Maryland 20877

Re: Annexation Application X-181



Dear Mayor Katz and Members of the Council:

On November 5, 2004, Lorraine Crown, Charles O. Crown and Catherine V. Stinson filed Annexation Application X-181 for 13.18 acres of land (the "Property") located at the northwest and southwest quadrants of the intersection of Sam Eig Highway with Diamondback Drive ("Annexation Application").

The purpose of this letter is to submit a revised metes and bounds description of the Property to be annexed (**Attachment 1**) to include those portions of Crown Farm Drive, Diamondback Drive, Story Drive and Bickerstaff Way (public streets) that abut the Property but are not currently within the municipal limits of the City of Gaithersburg. With these amendments, the total area to be annexed is 16.2903 acres. The inclusion of these areas within the property to be annexed will result in the entire property to be annexed being contiguous to and adjoining the existing corporate boundaries of the City of Gaithersburg and provide a uniform municipal boundary for the City along Sam Eig Highway.

In furtherance of this revision, we have included a revised boundary survey called "Plat of Annexation" (**Attachment 2**) to reflect the revised area to be annexed.

We would like to further request that the Annexation Application and Annexation Petition be conformed and amended to reflect that (a) the revised total acreage of the property to be annexed is 16.2903 acres, (b) substitute the revised metes and bounds description of the property to be annexed (**Attachment 1**) for the original metes and bounds description filed with the Annexation Application and Petition, and (c) indicate that the property to be annexed is owned by Lorraine Crown, Charles O. Crown and Catherine V. Stinson as to 13.1870 acres, and the balance, 3.1033

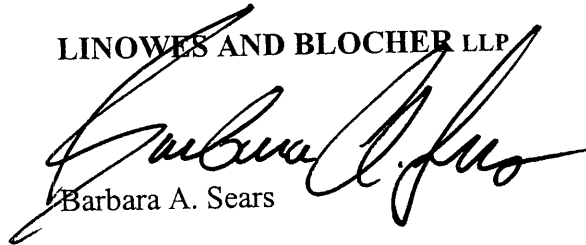
The Honorable Sidney Katz
and Members of the City Council
January 5, 2005
Page 2

acres, is in public roadways currently owned and maintained by Montgomery County, Maryland as shown on **Attachment 2**. It is our understanding that the Resolution authorizing the annexation will similarly be revised and amended.

If you have any questions concerning the enclosed materials, or if additional information is required, please contact us.

Very truly yours,

LINOWES AND BLOCHER LLP



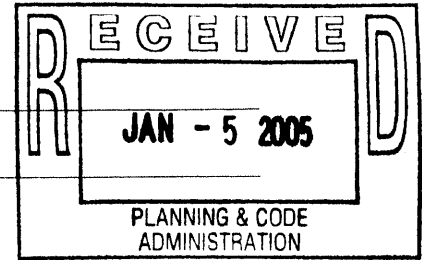
Barbara A. Sears

Attachments

cc: Mr. Greg Ossont
Cathy G. Borten, Esq.
Ms. Trudy M. W. Schwarz
Mr. Aris Mardirossian
Mr. Steven L. Lebling
Joseph P. Lapan, Esquire

PATTON HARRIS RUST & ASSOCIATES

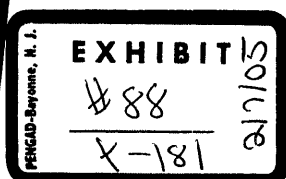
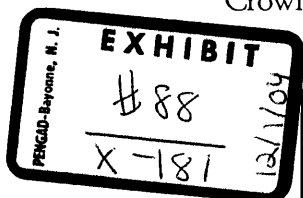
**Metes and Bounds Description
Annexation Parcel**



BEING a certain parcel of land, situated in the Gaithersburg (9th) Election District of Montgomery County, Maryland, said parcel being part of the lands conveyed by Robert Franklin Crown to James Forrest Crown, Charles Oliver Crown and Catherine Virginia Stinson by deed dated September 21, 1988 and recorded among the Land Records of Montgomery County, Maryland (all title references hereinafter refer to said Land Records) in Liber 10251 at Folio 266, said parcel also being portions of the road beds of Bickerstaff Way, Story Drive, Crown Farm Drive (Fields Road) and Diamondback Drive (Fields Road South); said parcels are more particularly described as follows:

BEGINNING for the same at a stone found at the beginning point of Parcel "B" of the aforesaid Liber 10251 at Folio 266, said stone also being at the beginning of the easterly, or North 09° 30' 29" West, 814.75 feet, line of Parcel "A" as shown on a plat titled "PART ONE, WARTHER" and recorded as Plat No. 12518; thence running, in part, with said line of Parcel "B" of Liber 10251 at Folio 266 and with said easterly line of Plat No. 12518 the following course:

- 1) North 09° 17' 47" West, 1,083.88 feet, passing over a capped iron rebar found at a distance of 815.23 feet thereon, to a point on the southerly, or South 89° 44' 23" West, 484.44 feet, line as shown on a plat of subdivision titled "Shady Grove Village" and recorded as Plat No. 9069, 12.60 feet from the beginning thereof; thence leaving the outlines of the aforesaid Plat No. 12518 and running with the outlines of said Plat No. 9069, reversely, the following two courses:
- 2) North 89° 57' 04" East, 12.60 feet to a point, and
- 3) North 08° 58' 13" West, 343.65 feet to the end of the South 73° 34' 12" West, 5.00 feet, line of the lands conveyed to the City of Gaithersburg by deed recorded in Liber 20208 at Folio 115, said point also being on the easterly right-of-way line of Story Drive as shown on a plat titled "Plat No. 6, Right of Way Plat, Sam Eig Highway" and filed as Montgomery County Department of Transportation Plat File No. 258; thence leaving the outlines of the aforesaid Plat No. 9069 and running with the outlines of said Liber 20208 at Folio 115 the following four courses:
- 4) North 73° 33' 59" East, 5.00 feet to a point; thence running with the truncation line of Crown Farm Drive,
- 5) South 48° 48' 13" East, 53.19 feet to a point on the northerly right-of-way line of Crown Farm Drive,



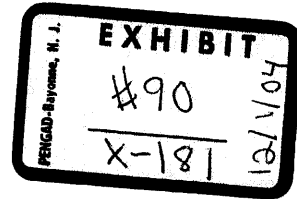
- 6) North 85° 00' 27" East, 232.47 feet to a point on the westerly right-of-way line of Crown Farm Drive as shown on a plat titled "Plat of Street Dedication, Fields Road" and recorded as Plat No. 13122; thence running with the outlines of said Plat No. 13122 the following three courses:
- 7) North 12° 10' 23" West, 14.00 feet to a point; thence leaving the outlines of the aforesaid Liber 20208 at Folio 115 and continuing with right of way of Crown Farm Drive,
- 8) North 87° 09' 09" East, 680.22 feet , passing over iron pipes found at distances of 48.64 feet and 101.34 feet and a capped iron rebar found at a distance of 535.45 feet thereon, to a point on curve no. 3 as shown on a plat titled "Plat No. 4, Right-of-Way Plat, Sam Eig Highway" and filed as Montgomery County Department of Transportation Plat File No. 256, 39.65 feet from the beginning of thereof; thence running with part of said curve no. 3,
- 9) 39.65 feet along the arc of a non-tangent curve to the left having a radius of 3,970.00 feet, a central angle of 00° 34' 20" and subtended by a chord bearing and distance of South 31° 34' 54" West, 39.65 feet to a point on the closing, or North 87° 15' 42" East, 370.13 feet, line of Parcel A of the aforesaid Liber 10251 at Folio 266; thence running with the remainder of said closing line of Parcel A,
- 10) North 87° 15' 10" East, 9.05 feet to a capped iron pipe found on the westerly right-of-way line of Sam Eig Highway as shown on the aforesaid Plat File No. 256; thence running with the first and second lines of Parcel A of the aforesaid Liber 10251 Folio 266, the following two courses and running with the westerly right-of-way lines of Sam Eig Highway as shown on Montgomery County Department of Transportation Plat File Nos. 256, 257 and 287, the following six courses:
- 11) 277.35 feet along the arc of a tangent curve to the left having a radius of 15,888.02 feet, a central angle of 01° 00' 01" and subtended by a chord bearing and distance of South 29° 30' 31" West, 277.35 feet to a capped iron pipe found,
- 12) 270.71 feet along the arc of a tangent curve to the left having a radius of 3,891.73 feet, a central angle of 03° 59' 08" and subtended by a chord bearing and distance of South 27° 00' 57" West, 270.66 feet to a capped iron pipe found; thence leaving the outlines of Parcel A of the aforesaid Liber 10251 at Folio 266 and continuing with the aforesaid right-of-way lines of Sam Eig Highway,
- 13) 348.82 feet along the arc of a tangent curve to the left having a radius of 3,891.73 feet, a central angle of 05° 08' 08" and subtended by a chord bearing and distance of South 22° 27' 19" West, 348.71 feet to a point,
- 14) South 20° 02' 53" West, 11.98 feet to a capped iron pipe found at the end of the tenth, or South 10° 32' 58" East, 94.42 feet, line of Parcel B of the aforesaid Liber

10251 at Folio 266; thence running with the eleventh and twelfth lines of said Parcel B the following two courses:

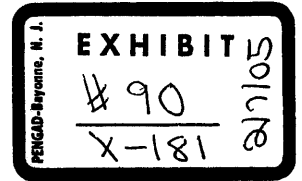
- 15) South 20° 02' 53" West, 632.90 feet to a capped iron rebar found; thence leaving the aforesaid right-of-way lines of Sam Eig Highway, and running
- 16) North 89° 37' 39" West, 111.22 feet to the place of beginning.

THE area of land contained by the foregoing amounts to 709,605 square feet, or 16.2903 acres of land, more or less, together with and subject to appurtenances and encumbrances of record or in use.

RESOLUTION NO. _____



RESOLUTION AUTHORIZING THE ANNEXATION
TO THE CITY OF GAITHERSBURG
OF APPROXIMATELY 16.2903 ACRES OF LAND LOCATED
ADJACENT TO THE PRESENT CORPORATE LIMITS, KNOWN AS
CROWN FARM POINT, LOCATED
AT THE NORTHWEST AND SOUTHWEST QUADRANT
OF THE INTERSECTION OF SAM EIG HIGHWAY
AND DIAMONDBACK DRIVE



ANNEXATION X-181 AMENDED

WHEREAS, the Mayor and City Council of Gaithersburg have received a petition requesting the enlargement of the corporate boundaries of the City of Gaithersburg so as to include the above-noted parcels; and

WHEREAS, the signatures of the said petition for annexation have been verified and it has been ascertained that the persons signing said petition are owners of not less than twenty-five percent (25%) of the assessed valuation of the real property located in the area to be annexed, and constitute not less than twenty-five percent (25%) of the persons who reside in the area to be annexed, and who are registered as voters in County elections in the precincts in which the territory to be annexed is located:

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and City Council of the City of Gaithersburg, that the corporate boundaries of the City of Gaithersburg be, and they hereby are, enlarged by including therein the following area:

DESCRIPTION OF PROPERTY

Metes and Bounds Description
Property of

James Forrest Crown, Charles Oliver Crown and Catherine Virginia Stinson
Liber 10251 at Folio 266

BEING a certain parcel of land, situated in the Gaithersburg (9th) Election District of Montgomery County, Maryland, said parcel being part of the lands conveyed by Robert Franklin Crown to James Forrest Crown, Charles Oliver Crown and Catherine Virginia Stinson by deed dated September 21, 1900 and recorded among the Land Records of Montgomery County, Maryland (all title references hereinafter refer to said Land Records) in Liber 10251 at Folio 266, said parcel also being portions of the road beds of Bickerstaff Way, Story Drive, Crown Farm Drive (Fields Road) and Diamondback Drive (Fields Road South); said parcels are more particularly described as follows:

BEGINNING for the same at a stone found at the beginning point of Parcel "B" of the aforesaid Liber 10251 at Folio 266, said stone also being at the beginning of the easterly, or

North 09° 30' 29" West, 814.75 feet, line of Parcel "A" as shown on a plat titled "PART ONE, WARTHER" and recorded as Plat NO. 12518; thence running, in part, with said line of Parcel "B" of Liber 10251 at Folia 266 and with said easterly line of Plat No. 12518 the following course:

- 1) North 09° 17' 47" West, 1,083.88 feet, passing over a capped iron rebar found at a distance of 815.23 feet thereon, to appoint on the southerly, or South 89° 44' 23" West, 484.44 feet, line as shown on a plat of subdivision titled "Shady Grove Village" and recorded as Plat No. 9060, 12.60 feet from the beginning thereof; thence leaving the outlines of the aforesaid Plat No. 12518 and running with the outlines of said Plat No. 9069, reversely, the following two courses:
- 2) North 89° 57' 04" East, 12.60 feet to a point, and
- 3) North 08° 58' 13" West, 342.64 feet to the end of the South 73° 34' 12" West, 5.00 feet, line of the lands conveyed to the City of Gaithersburg by deed recorded in Liber 20208 at Folio 115, said point also being on the easterly right-of-way line of Story Drive as shown on a plat titled "Plat No. 6, Right of Way Plat, Sam Eig Highway" and filed as Montgomery County Department of Transportation Plat File No. 258; thence leaving the outlines of the aforesaid Plat NO. 9060 and running with the outlines of said Liber 20208 at Folio 115 the following four courses:
- 4) North 73° 33' 59" East, 5.00 feet to a point; thence running with the truncation line of Crown Farm Drive,
- 5) South 48° 48' 13" East, 53.19 feet to a point on the northerly right-of-way line of Crown Farm Drive,
- 6) North 85° 00' 27" East, 232.47 feet to a point on the westerly right-of-way line of Crown Farm Drive as shown on plat titled "Plat of Street Dedication, Fields Road" and recorded as Plat No. 13122; thence running with the outlines of said Plat No. 13122 the following three courses:
- 7) North 12° 10' 23" West, 14.00 feet to a point; thence leaving the outlines of the aforesaid Liber 20208 at Folio 115 and continuing with right of way of Crown Farm Drive,
- 8) North 87° 09' 09" East, 680.22 feet, passing over iron pipes found at distances of 48.64 feet and 101.34 feet and a capped iron rebar found at a distance of 535.45 feet thereon, to appoint on curve no. 3 as shown on a plat titled "Plat No. 4, Right-of-Way Plat, Sam Eig Highway" and filed as Montgomery County Department of Transportation Plat File No. 256, 39.65 feet from the beginning thereof; thence running with part of said curve no. 3,
- 9) 39.65 feet along the arc of a non-tangent curve to the left having a radius of 3,970.00 feet, a central angle of 00° 34' 20" and subtended by a chord bearing and distance of South 31° 34' 54" West, 39.65 feet to a point on the closing, or North 87° 15' 42" East, 370.13

feet, line of Parcel A of the aforesaid Liber 10251 at Folio 266; thence running the remainder of said closing line of Parcel A,

- 10) North 87° 15' 10" East, 9.05 feet to a capped iron pipe found on the westerly right-of-way line of Sam Eig Highway as shown on the aforesaid Plat File No. 256; thence running with the first and second lines of Parcel A of the aforesaid Liber 10251 Folio 266, the following two courses and running with the westerly right-of-way lines of Sam Eig Highway as shown on Montgomery County Department of Transportation Plat File Nos. 256, 257 and 287, the following six courses:
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- 13) 348.82 feet along the arc of a tangent curve to the left having a radius of 3,891.73 feet, a central angle of 05° 08' 08" and subtended by a chord bearing and distance of South 22° 27' 19" West, 348.71 feet to a point,
- 14) South 20° 02' 53" West, 11.98 feet to a capped iron pipe found at the end of the tenth, or South 10° 32' 58" East, 94.42 feet, line of Parcel B of the aforesaid Liber 10251 at Folio 266; thence running with the eleventh and twelfth lines of said Parcel B the following two courses:
- 15) South 20° 02' 53" West, 632.90 feet to a capped iron rebar found; thence leaving the aforesaid right-of-way lines of Sam Eig Highway, and running
- 16) North 89° 37' 39" West 111.22 feet to the place of beginning.

THE area of land contained by the foregoing amount to 709,605 square feet, or 16.2903 acres of land, more or less, together with and subject to appurtenances and encumbrances of record or in use.

BE IT FURTHER RESOLVED, by the Mayor and City Council of the City of Gaithersburg, that this Resolution shall become effective forty-five (45) days following its adoption, unless a prompt petition for referendum thereon shall be filed as permitted by law, and provided further that the notice required by law shall be published not fewer than four (4) times, at not less than weekly intervals, in *The Gaithersburg Gazette*, a newspaper of general circulation in the City of Gaithersburg.

BE IT FURTHER RESOLVED, by the Mayor and City Council of the City of Gaithersburg, that this annexation shall be subject to the terms and conditions of an annexation Agreement by and between the Property Owner and the City of Gaithersburg and any amendment which may be hereafter enacted thereto.

BE IT FURTHER RESOLVED, by the Mayor and City Council of the City of Gaithersburg, that promptly after this Resolution shall become effective, the City Manager shall send copies of said Resolution to the following:

<u>Number of Copies</u>	<u>Agency</u>
1	Department of Legislative Reference
1	Clerk of the Circuit Court for Montgomery County
1	Supervisor of Assessments for Montgomery County
1	Maryland-National Capital Park and Planning Commission

BE IT FURTHER RESOLVED, by the Mayor and City Council of the City of Gaithersburg, that the property describe above and persons residing therein, if any, shall, after the effective date of this Resolution, be subject to all of the Charter laws, ordinances and resolutions of the City of Gaithersburg, Maryland.

ADOPTED by the Mayor and City Council of the City of Gaithersburg this _____ day of _____, 2005.

THIS IS TO CERTIFY that the fore-
Going Resolution was introduced by the
City Council of the City of Gaithersburg
On the 15th day of November, 2004, and
Adopted by the City Council, in public
Meeting assembled, on the _____ day of
_____, 2005.

This annexation will become effective on
The _____ day of _____, 2005.

David B. Humpton, City Manager

Architectural floor plan of the second floor of the building. The plan shows a central corridor system with rooms on both sides. Key areas include a 'FRONT STAGE' on the left, a 'REAR ENTRANCE' on the right, and a 'FRONT STAGE' on the far right. Rooms are labeled with numbers and dimensions, such as '17.33' and '24.00'. A 'THREE WAY' is indicated at the bottom left, and a 'THREE WAY' is indicated at the bottom right. The plan is oriented with North at the top.

[illegible]

CHAPPEL

An aerial photograph showing a residential neighborhood. A street is labeled 'ALMONDBACK LIDS ROAD' in white capital letters. The houses are arranged in rows, and there are some trees and green spaces visible. The image is in black and white.

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SAM EIGHTH WAY

EXHIBIT

GRAPHIC SCALE



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feet

Handwritten notes on the right margin:

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X-181

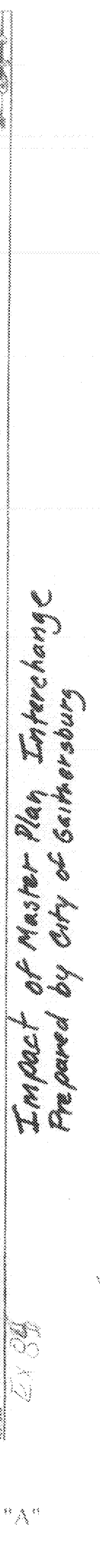
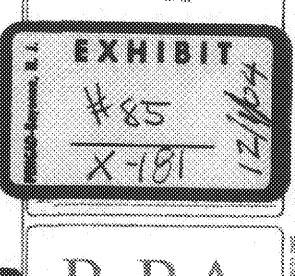
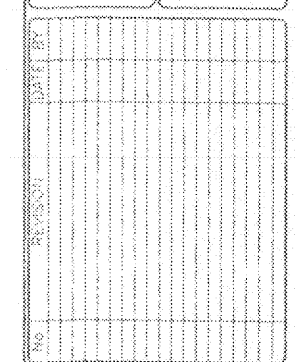
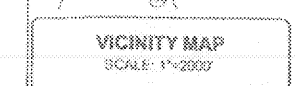


EXHIBIT 5
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Attachment "A"